



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2021

CORAM

THE HONOURABLE MR.JUSTICE T. S. SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.A. (MD)No.727 of 2018

G.Swaminathan

... Appellant/Petitioner

Vs.

- 1.The Secretary to Government,
Ministry of Home Affairs,
Government of India,
North Block, New Delhi - 110 011.
- 2.The Director General,
CRPF, Office of the Directorate General,
Block No.1, CGO Complex, Lodhi Road,
New Delhi - 110 003.
- 3.The Inspector General of Police,
Office of the Inspector General of Police,
Western Sector, CRPF, Navi Mumbai.
- 4.The Commandant,
122, Battalion, CRPF,
Andheria More,
New Delhi - 110 001.

... Respondents/Respondents

Prayer : Appeal filed under Clause 15 of the Letters Patent against the order passed by this Court in W.P.(MD)No.12662 of 2017, dated 10.07.2017.

Prayer in WP(MD). 12662/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records pertaining to the order of the 2nd Respondent dated 08.09.2015, bearing No.W.V.49/2015 - WEL-II (GR-4), quash the same and direct the Respondents to pay pensionary benefits and thus render justice.

For Appellants

: No appearance

For Respondents

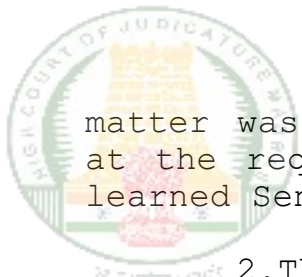
: Mr.D.Saravanan

Senior Standing Counsel for
Central Government

J U D G M E N T

(Judgment of the Court was delivered by T. S. SIVAGNANAM, J.)

None appears for the appellant. On the earlier hearing also, there was no representation for the appellant and therefore, the



matter was listed under the caption 'for dismissal'. Subsequently, at the request made, the caption was removed. We have heard the learned Senior Standing Counsel for the Central Government.

2.The appellant has filed the Writ Petition, challenging the order passed by the second respondent, dated 08.09.2015, and for a consequential direction to pay pensionary benefits. The facts were noted by the learned Single Bench in paragraph No.2 of the order, dated 10.07.2017, passed in the Writ Petition. From paragraph No.2, it is evidently clear that it is heavily barred by delay and laches. The appellant contends that under compulsion, he gave letter of resignation in the year 2005 and subsequently, he gave a letter for withdrawal of resignation on 30.09.2005 and thereafter, he sent a letter of request for reinstatement on 13.02.2006, which was rejected on 20.11.2009 and challenging the order dated 08.09.2015, he has filed the Writ Petition.

3.The learned Writ Court after taking note of the fact that the appellant has neither challenged the rejection of request for reinstatement dated 20.11.2009, nor the subsequent order dated 12.07.2011, at the appropriate time, held that the relief cannot be granted.

4.We find no reason to interfere with the order passed by the learned Writ Court. Hence, the Writ Appeal is dismissed. No costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Secretary to Government,
Ministry of Home Affairs,
Government of India,
North Block, New Delhi - 110 011.

2.The Director General,
CRPF, Office of the Directorate General,
Block No.1, CGO Complex, Lodhi Road,
New Delhi - 110 003.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Inspector General of Police,
Office of the Inspector General of Police,
Western Sector, CRPF, Navi Mumbai.

4.The Commandant,
122, Battalion, CRPF,
Andheria More,
New Delhi - 110 001.

+1 CC to M/s.D.SARAVANAN, Advocate (SR-15527[F]
dated 08/04/2021)

W.A. (MD) No.727 of 2018
07.04.2021

KUN(CO)
KB(11.05.2021) 3P 6C