



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:10.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.21436 of 2017

I.Manoharan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by its Principal Secretary,
Home Department,
Fort St.George,
Chennai.

2.The Director General of Police,
Kamarajar Salai,
Mylopore,
Chennai.

3.The Commissioner of Police,
Madurai City,
Madurai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 & 3 to revise and regularize the service seniority and give notional promotion with monetary benefits to the petitioner within the time frame fixed by this Court.

For Petitioner : Mr.R.J.Karthick
For Respondents : Mr.A.Karthik,
Government Advocate

O R D E R

This Writ Petition is filed for direction to the respondents 2 and 3 to revise and regularize the service seniority and give notional promotion with monetary benefits to the petitioner.

2.The case of the petitioner is that he joined as a Grade-II Police Constable in the Police Department, on 09.01.1975 and thereafter, he was promoted as Head Constable on 10.01.1998 and retired from service on 30.11.2006. Further the petitioner has averred that since there was a stagnation in the matter of promotion in the Police Department, the Government issued G.O.Ms.No.937, Home (Pol.III) Department, by which, the person, who had completed 10 years of service in Grade-II Police Constable and 5 years completion of Grade-I Police Constable, shall be promoted to the next level of promotion. Therefore, the petitioner has made a representation dated



16.10.2017 to the third respondent seeking to revise and regularize the service seniority of the petitioner and give notional promotion with monetary benefits. Since no order has been passed, the present writ petition is filed.

3.The learned counsel appearing for the petitioner submitted that this Court may issue a direction to the respondents to consider the petitioner's representation within the time limit as stipulated by this Court.

4.Heard the learned Government Advocate appearing for the respondents.

5.The facts in the present case are not in dispute. Admittedly, the petitioner retired from service in the year 2006 and the Government issued the said G.O in the year 1998. The petitioner has not taken any steps to secure such benefits, while he was in service. After a lapse of about 11 years from the date of his retirement, the petitioner is not entitled for any relief and he has not given any proper explanation for the delay in making the representation. Thus, the writ petition stands dismissed on the ground of laches. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Principal Secretary,
Home Department,
Fort St.George,
Chennai.

2.The Director General of Police,
Kamarajar Salai,
Mylopore,
Chennai.



3.The Commissioner of Police,
Madurai City,
Madurai.

+1 CC to M/s.SPL GP (SR-10605[F] dated 11/03/2021)

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VB (26.03.2021) 3P 5C