



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2022

CORAM :

THE HON'BLE MR. JUSTICE M. DURAISWAMY

AND

THE HON'BLE MR. JUSTICE J. SATHYA NARAYANA PRASAD

Writ Appeal No.2686 of 2012

P.Natarajan

...

Appellant/Petitioner

Vs.

1.The Principal Secretary to Government,
Home Department, Secretariat,
Chennai - 600 009.

2.The Director General of Police,
Tamil Nadu, Mylapore,
Chennai - 600 004.

3.The Deputy Inspector General of Police,
Coimbatore Range, Coimbatore.

4.S.Megakumar

Deputy Superintendent of Police,
Crime Branch, Chennai.

...

Respondents/Respondents

[4th respondent is given up as per
Court order dated 07.12.2021
made in W.A.No.2686 of 2012]

Prayer : Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 17.02.2011 made in W.P.No.3662 of 2011.

Prayer in W.P. No.3662 of 2011:Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to consider the case of the petitioner by disposing of his representation dated 23.04.2010 as considered in the case of the fourth respondent.

For Appellant	:	Mr.A.R.Suresh
For R1 to R3	:	Mr.R.U.Dinesh Rajkumar Additional Government Pleader
R4	:	Given up vide Court order dated 07.12.2021



J U D G M E N T
(Delivered by M. DURAISWAMY, J.)

Challenging the order passed in W.P.No.3662 of 2011, dated 17.02.2011, the writ petitioner has filed the above Writ Appeal.

2.The appellant filed the writ petition to issue a Writ of Mandamus directing the respondents to consider the case of the petitioner by disposing of his representation, dated 23.04.2010, as considered in the case of the 4th respondent. It is the case of the writ petitioner that he should have been given promotion as Sub-Inspector with effect from the year 1992 and also further promotion to the post of Inspector subsequently.

3.It is pertinent to note that, for the promotion to be given in the year 1992, the appellant submitted his representation only in the year 2010, i.e., after a lapse of nearly 18 years. The learned Single Judge taking into consideration the delay in submitting the appellant's representation, dismissed the writ petition, finding that, if the appellant's representation is considered, that will unsettle the settled things. The learned Single Judge also relied upon the judgment of the Hon'ble Supreme Court reported in AIR 1974 SC 2271 [P.S.Sadasivaswamy v. State of Tamil Nadu). wherein, the Apex Court held that, as far as promotion is concerned, one should approach the Court within a period of six months and in extraordinary cases, within a period of one year. When the petitioner had filed the writ petition only in the year 2010, after a lapse of 18 years, the learned Single Judge has rightly dismissed the writ petition.

4.We do not find any ground to interfere with the order passed by the learned Single Judge. The Writ Appeal is devoid of merits, hence, the same is dismissed. No costs.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

mkn

To

1.The Principal Secretary to Government,
Home Department, Secretariat,
Chennai - 600 009.



2.The Director General of Police,
Tamil Nadu,
Mylapore,
Chennai - 600 004.

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3.The Deputy Inspector General of Police,
Coimbatore Range,
Coimbatore.

+1cc to Mr.A.R.Suresh, Advocate SR.No.5300
+1cc to the Government Pleader SR.No.5144

Writ Appeal No.2686 of 2012

PMK (CO)
GN(15/02/2022)