



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.02.2022

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CORAM

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN
AND
THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

W.A. Nos. 1926, 1929 & 1937 of 2021

S. Vijayarangan	..Appellant in W.A. No.1926 of 2021
G. Radha	..Appellant in W.A. No.1929 of 2021
N. Kittu	..Appellant in W.A. No.1937 of 2021

Vs.

1. The Secretary to Government,
Highways Department,
Secretariat, Chennai.
2. The Chief Engineer (General),
Highways Department,
Chepauk, Chennai.
3. The Director General,
Highways Department,
Guindy, Chennai.

..Respondents in all the
Writ Appeals.

Prayer: Writ Appeals as against the order dated 11.03.2020 passed in W.P. Nos. 5942, 5944 & 5946 of 2020 respectively.

Prayer in W.P.Nos. 5942, 5944 & 5946/2020:

Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the Respondents to give seniority from 23.02.1987 onwards as "Second Grade" and settle the arrears of pay with an benefits on the basis of the representation given by the Petitioner on 23.12.2019.

For Appellants ::	Mr.D. Rajagopal
For Respondents ::	Mr.J.C. Durairaj
	Addl. Govt. Pleader



J U D G M E N T

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

WEB COPY The appellants have come forward with the present writ appeals challenging the order dated 11.03.2020 passed in W.P. Nos. 5942, 5944 & 5946 of 2020 respectively.

2. The writ petitions were filed by the appellants seeking a direction to the respondents herein to give seniority from 23.02.1987 as "Second Grade" and settle the arrears of benefits on the basis of the representations given by them dated 23.12.2019. However, the learned Single Judge observing that there are no materials available to substantiate the claim made by the appellants and that the claim is also barred by inordinate laches, dismissed the writ petitions, aggrieved by which the appellants are before this Court in these writ appeals.

3. As evident from the impugned orders, the appellants have approached this Court with a delay of 33 years and taking into account the date of filing of the writ petitions, the appellants had retired five years prior to that. There is no reason as to why the revision of seniority from 1987 has got to be granted to the appellants when they have knocked the doors of the Court after a delay of more than 3 decades. The learned Single Judge has rightly held that the appellants did not furnish details to make out a case as to how they have been deprived of the seniority and approached the Court only in the year 2020. The appellants, who have woken up from their deep slumber after 3 ½ decades are not entitled to any relief. As there is an inordinate delay, the dismissal of the writ petitions on the ground of laches does not warrant any interference at the hands of this Court. Hence, the writ appeals are dismissed. No costs.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar



To

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1. The Secretary to Government,
Highways Department,
Secretariat, Chennai.
 2. The Chief Engineer (General),
Highways Department,
Chepauk, Chennai.
 3. The Director General,
Highways Department,
Guindy, Chennai.
- +1 CC to The Government Pleader sr 9199.

W.A. Nos. 1926, 1929 & 1937 of 2021

SPD(CO)
SP(09/03/2022)