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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2022

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.6173 of 2014

L.Panchanathan (Deceased)  
Chellam Panchanathan

... Petitioner

[P2 substituted as LR of deceased sole petitioner  
vide order dated 01.02.2022 made in  
WMP.No.13064/2021 in WP.No.6173/2014 by DKKJ]

..Vs..

1. The Secretary to Government,  
Municipal Administration and Water Supply Department,  
Fort St.George, Chennai - 9.
2. The Director of Town Panchayats,  
Kuralagam, Chennai - 104.

... Respondents

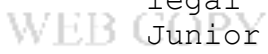
Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to promote the petitioner as Assistant Director of Town Panchayat on par with his juniors and consequently direct them to revise his terminal benefits and pension by taking into account the pay attached to the post of Assistant Director of Town Panchayat.

For Petitioner : Mr.S.Mahesh  
for Mr.V.Vijay Shankar

For Respondents: Mr.S.Prabhakaran  
Government Advocate

ORDER

The relief sought for in the present writ petition is to direct the respondents to promote the petitioner as Assistant Director of Town Panchayat on par with his juniors and consequently direct them to revise his terminal benefits and



2. The original petitioner Mr. L. Panchanathan died and the legal heir was impleaded. The original petitioner joined as Junior Assistant on 01.11.1954 in Town Panchayat. He was promoted as Executive Officer Grade-II on 24.04.1958 and as Executive Officer Grade-I on 09.09.1964. He was further promoted to the post of Executive Officer, Selection Grade on 18.08.1992 and attained the age of superannuation on 30.09.1990 and allowed to retire from service. The terminal and pensionary benefits were also settled in favour of the writ petitioner in the post of Executive Officer Selection Grade.

4. The learned counsel for the petitioner made a submission that Service Association filed a writ petition for revision of seniority and the matter went up to the Hon'ble Supreme Court and thereafter, the revised seniority list was issued in 2013 and based on the said seniority list, the petitioner is to be granted retrospective promotion.

5. The learned Government Advocate appearing on behalf of the respondents made a submission that the petitioner attained the age of superannuation in the year 1990 and the writ petition was filed in the 2014 and there is a delay of 24 years in filing of the present writ petition and thus, the writ petition is to be rejected on the ground of laches.

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



7. Accordingly, the Writ Petition stands dismissed. No costs.

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Sd/-  
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mrm

To

1. The Secretary to Government,  
Municipal Administration and Water Supply Department,  
Fort St.George, Chennai - 9.
2. The Director of Town Panchayats,  
Kuralagam, Chennai - 104.

+1cc to Mr.V.Vijay Shankar, Advocate, S.R.No.36489  
+1cc to the Government Pleader, S.R.No.35947

W.P.No.6173 of 2014

GPL[co]  
NSK/04/07/2022