



W.P.No.25322 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.25322 of 2019

V.Vasantha

... Petitioner

Vs.

1. The Director General of Police,
Tamil Nadu,
Mylapore,
Chennai.
2. The Secretary to Government,
Home Department,
Fort St.George,
Chennai.
3. The Secretary to Government,
Finance Department,
Fort St.George,
Chennai.
4. The Superintendent of Police,
Ariyalur,
Ariyalur District.

... Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to re-fix the petitioner's date of retirement as 01.01.2016 and then re-fix the petitioner's pay, pension and other allowances as per the 7th pay commission recommendations.

For Petitioner : Mr.O.V.Krishnan

For Respondents :

For R1, R2 & R4 : Mr.S.Rajesh

Government Advocate

For R3 : Mr.P.Gurunathan

Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents to re-fix the petitioner's date of retirement as 01.01.2016, thereafter re-fix the Petitioner's Pay Pension and other allowances as per the 7th Pay Commission recommendations.

2. The petitioner served as Additional Superintendent of Police, Prohibition Enforcement Wing, Ariyalur District and retired from service on 31.12.2015, on attaining the age of superannuation. Since, the petitioner was allowed to retire from service in the year 2015, her claim for re-fixing the date



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of retirement as 01.01.2016, lost its relevance and such a claim at this length of time cannot be considered.

3. The petitioner is now a pensioner and receiving pension for the past about seven years and the writ petition itself has been filed after a lapse of four years from the date of retirement. Thus, the writ petition stands rejected on the ground of laches and even on merits as the date of retirement after several years cannot be re-fixed.

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

30.11.2022

Index: Yes/No
Speaking order/Non-speaking order
rgm



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S.M.SUBRAMANIAM, J.

rgm

To

1. The Director General of Police,
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3. The Secretary to Government,
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