



W.P.No.33255 of 2

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.33255 of 2017
and
W.M.P.No.36676 of 2017

C.Swaminathan

... Petitioner

Vs.

- 1.The Secretary to Government
Government of Tamil Nadu
Rural Development Department
Fort St. George, Chennai 600 009.
- 2.The Director Rural Development Department
Panagal Building, Saidapet
Chennai 600 015.
- 3.The District Collector,
Krishnagiri.
- 4.The Block Development Officer,
Hosur.
- 5.The Principal Accounts General
361, Anna Salai, Chennai 600 018.
- 6.The Sub-Treasury Officer,
Hosur Krishnagiri District.

... Respondents



Prayer: Writ Petition filed Under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the record of the 1st respondent under Letter No.22915/Pa. A4/2017-1 dated 23.10.2017 and quash the same in so far as the Petitioner is concerned and direct the respondents to pay the Petitioner the benefit of two increments, seniority, and pensionary benefits for the period of training in view of the G.O.No.164 dated 30.07.1992.

For Petitioner	: Mr.S.Mukunth For M/s.Sarvabhauman Associates
For R1 to R4 & R6	: Mrs.E.Indhumathi Government Advocate
For R5	: Mr.S.Balaji

ORDER

The proceedings dated 23.10.2017, not considering the claim of the writ petitioner to count training period for grant of increment is under challenge in the present writ petition.

2. The petitioner, who is aged about 81 years as of now and 76 years at the time of filing of the present writ petition.



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3. The petitioner states that he had undergone the training during the year 1964 and inducted as Rural Welfare Officer in the year 1966. The petitioner underwent two years training period and after his induction as Rural Welfare Officer, he was promoted to the post of Extension Officer and retired as Deputy Development Officer on 30.06.1998.

4. The learned counsel for the petitioner made a submission that the entitlement of the writ petitioner was ascertained by the officials concerned. However, the benefit of the training period was not extended for several years. Repeated approach of the writ petitioner went in vain. At one point of time, the authorities have stated that the petitioner has to approach the Court of Law for the purpose of redressal of his grievances. Thus, the petitioner is constrained to move the present writ petition during the year 2017, more specifically, at the age of 76 years.

5. Question arises, whether an employee, who retired from service on 30.06.1998, shall set out his claim for increment based on his training undergone during the year 1964 for grant of monetary benefits. Though the



petitioner states that the respondents have directed him to approach the Court of Law, the Court has to consider the delay and laches involved in approaching the Court of Law for the purpose of redressing his grievances. The delay is enormous. The petitioner has slept over his rights and woke up one fine morning and approached this Court.

6. Court cannot grant the relief in respect of the Government employees, who have not approached the Court of Law within a reasonable period of time. In the present case, the petitioner underwent training from the year 1964 to 1966, all along he served and retired on 30.06.1998. He filed the present writ petition in the year 2017 after a lapse of about 19 years from the date of his retirement. Thus, the delay is huge and such a long delay cannot be condoned by this Court for the purpose of extending the monetary benefits based on the claim of the writ petitioner with reference to the training underwent by him during the year 1964 to 1966.



7. Thus, the Writ Petition is devoid of merits and stands dismissed.

No costs. Consequently, connected Miscellaneous Petition is closed.

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Index : Yes

Speaking order

To

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S.M.SUBRAMANIAM, J.

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