



WA(MD)No.1430 of 2011

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 21.09.2022

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THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MR JUSTICE N. ANAND VENKATESH

W.A.(MD)No.1430 of 2011

K.Thavamani

... Appellant / Petitioner

/Vs./

1. The Secretary to Government,
Labour and Employment Department,
Secretariat, Chennai-9.
2. The Commissioner,
Department of Employment and Training,
Guindy, Chennai-32.
3. The Accountant General (A.E),
No.361, Anna Salai,
Chennai-18.

... Respondents/ Respondents

PRAYER: Appeal filed under Clause 15 of the Letters Patent, praying this Court to set aside the order, dated 30.09.2010, passed in the W.P.(MD)No. 12367 of 2010 on the file of this Court.



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For Appellant : Mr.Mahadevan
for Ms.AL.Ganthimathi
For Respondents : Mr.D.Sasikumar (R1, R2)
Additional Government Pleader
Mr.P.Gunasekaran (R3)

JUDGMENT

J. NISHA BANU,J.

and

N. ANAND VENKATESH,J.

This Writ Appeal has been filed against the order passed by the learned Single Judge of this Court dismissing the writ petition filed by the petitioner, wherein the proceedings of the first respondent dated 24.12.2003 and 30.04.2004 was put to challenge.

2. Heard Mr.Mahadevan, learned counsel appearing for the appellant, Mr.D.Sasikumar, learned Additional Government Pleader appearing for the respondents 1 and 2 and Mr.P.Gunasekaran, learned counsel appearing for the third respondent.



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3. On carefully going through the order passed by the learned Single Judge, it is seen that the appellant had challenged the orders passed by the first respondent of the years 2003 and 2004, in the year 2010 and that too, after nine years from the date of his retirement. The learned Single Judge also took note of the fact that the earlier writ petition was filed by the petitioner in WP(MD)No.17400 of 2007 and at that point of time, the petitioner did not choose to challenge the orders passed by the first respondent in the years 2003 and 2004. Therefore, the learned Single Judge has rightly held that the appellant cannot be raising one ground after another, when such an opportunity was available even when the earlier writ petition was filed.

4. This Court does not find any ground to interfere with the order passed by the learned Single Judge of this Court. Accordingly, this Writ Appeal stands dismissed. No costs.

(J.N.B.,J.) (N.A.V.,J.)
21.09.2022

Index : Yes/No
Internet : Yes



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Judgment made in
W.A.(MD)No.1430 of 2011

Dated
21.09.2022