



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No. 10003 of 2019

and

W.M.P. (MD) Nos. 7794 to 7795 of 2019

A.Pandiammal

... Petitioner

Vs.

1. The Director General of Police,
Dr.Radhakrishnan Road,
Santhome,
Chennai - 600 004.

2. The Inspector General of Police,
South Zone,
Natham Road,
Madurai - 625 002.

3. The Deputy Inspector General of Police,
Madurai Range,
Alagarkovil Road,
Madurai - 625 007.

4. The Superintendent of Police,
Madurai District,
Surveyor Colony,
Madurai - 625 007.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the fourth respondent in his proceedings in மாவட்ட ஆணை எண்:241/2005/ந.க.எண்:பி1/149/14861/2004 dated 17.03.2005 and quash the same as illegal and consequently direct the fourth respondent to regularize the period from 01.10.2004 to 11.11.2009 as leave on loss of pay.

For Petitioner : Mr.K.Ponnaiah
for M/s.Ajmal Associates

For Respondents : Mr.A.K.Manikkam
Special Government Pleader



O R D E R

The impugned order of dismissal from part-time service issued by the Superintendent of Police in proceedings dated 17.03.2005 is under challenge in the present Writ Petition.

2. The Writ Petitioner admittedly was employed as part-time Sweeper in the office of the Inspector of Police, Oomatchikulam Police Station, Madurai District. She was appointed on 27.05.1989 as part-time Sweeper.

3. The learned counsel appearing for the petitioner made a submission that she was working to the satisfaction of the superior officials. However, the order impugned states that the petitioner, without any prior permission, was unauthorizedly absent from duty for about five months and she was not maintaining good conduct, while performing her duties.

4. In view of the fact that the petitioner was employed as part-time Sweeper, the petitioner cannot claim any right in respect of the regularization or permanent employment. As far as the order impugned is concerned, it was issued by the fourth respondent in proceedings dated 17.03.2005 and the Writ Petition was filed on 23.04.2019 after a lapse of 14 years from the date of passing of the impugned order. Therefore, the Writ Petition is liable to be rejected on the ground of laches and further on the ground that the writ petitioner was working only as a part-time employee.

5. In view of the fact that the petitioner has not established any acceptable ground for the purpose of considering the relief and more so, the Writ Petition itself is filed after a lapse of 14 years from the date of passing of the impugned order, this Writ Petition is dismissed both on merits and on the ground of laches. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (LA&MC)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vji



To

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4. The Superintendent of Police,
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Surveyor Colony,
Madurai - 625 007.

+1 CC to M/s.SPL GP (SR-5945[F] dated 14/02/2022)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-6299[F] dated
15/02/2022)

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SK(CO)
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