



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 21.02.2022  
CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.6121 of 2019

K.Veerasundararaj

... Petitioner

-vs-

1.The Principal Secretary to Government,  
Public Works Department,  
Secretariat, Chennai-600 009.

2.The Superintending Engineer,  
Public Works Department,  
Building Construction & Maintenance Circle  
(Medical Works),  
Tallakulam, Madurai-625 002.

... Respondents

**Prayer:-** Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records relating to the Principal Secretary to Government, Public Works Department, Chennai passed in Letter No.12691/C1/2016-4 dated 02.11.2018 and quash the same and consequently direct the 1<sup>st</sup> respondent to sanction the benefit as per G.O.Ms.No.395 Public Works Department dated 22.06.1998 on par with similarly placed persons, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

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

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**ORDER**

The Government employee, who has left over his right, cannot wake up one fine morning and knock the doors of the Court for redressal. Such stale claims made after several years cannot be considered by this Court. A Government employee cannot plead ignorance of law. Once a grievance arises, it is expected that a person aggrieved, has to redress the same within a reasonable period of time by approaching the competent authority and the Court of law. With the above principles, the present case is to be considered.



2.The order impugned dated 02.11.2018, passed by the Government states that the similarly placed persons that of the petitioner approached the Tamil Nadu Administrative Tribunal and matter went up to the Hon'ble Supreme Court of India and the Hon'ble Supreme Court disposed of all the cases in the year 1994 and the Government also passed an order on 22.06.1998. During the relevant point of time, the petitioner was very much in service and he was allowed to retire from service on attaining the age of superannuation only on 31.03.2017. The present writ petition is filed even thereafter in the year 2019 at the age of 60 years.

3.At the outset, the cause of action for the relief arose for the petitioner on 27.09.1982 when the similarly placed persons approached the authorities and the Tamil Nadu Administrative Tribunal. The matter was pending adjudication before the Tribunal and up to the Hon'ble Supreme Court and the Hon'ble Supreme Court disposed of the appeals on 29.04.1994 and the Government issued orders in G.O.Ms.No.395, Public Works Department, dated 22.06.1998.

4.The petitioner though states that he submitted a representation to the authorities, he has not pursued the matter to redress his grievances. Contrarily, he waited till his age of retirement and even after two years lapse from the date of retirement, he has chosen to file the present writ petition. In the event of considering or admitting such belated claims, there is a possibility of opening a *pandora's box*, which cannot be done and all grievances are to be redressed within a reasonable period of time and no writ petition is to be entertained after a lapse of many years.

5.In view of the above facts and circumstances, this Court do not find any infirmity in respect of the impugned order, as the petitioner has raised the claim after a lapse of about 35 years and accordingly, this Writ Petition stands dismissed on the ground of laches. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (A.S)

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/ /2022

Sub Assistant Registrar (CS)



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Secretariat, Chennai-600 009.

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+1cc to Special Government Pleader, Sr.No.8083

**W.P. (MD) No.6121 of 2019**

**Date:21.02.2022**

SA(05.03.2022) 3P 4C