



WEB COPY



W.A.No.1356 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2023

CORAM :

THE HON'BLE MR. JUSTICE S.S.SUNDAR

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

W.A.No.1356 of 2023

M.Jesuraj

...

Appellant

v.

1. The State of Tamil Nadu
Rep. by Secretary to Government
Home Department
Fort St. George, Chennai-9.

2. The Director General of Police
Tamil Nadu Police Department
Mylapore, Chennai-4.

3. The Additional Director General of Police
Armed Police
Kilpauk, Chennai-10.

...

Respondents



W.A.No.1356 of 2023

Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order dated 04.11.2019 passed by the learned Single Judge in W.P.No.17553 of 2017.

For Appellant :: Ms.R.Deepika Sonali
for Mr.M.Muthappan

For Respondents :: Mr.S.Silambanan
Additional Advocate General
Assisted by
Mr.S.Balamurugan
Government Advocate

J U D G M E N T

(Judgment of the Court was delivered by S.S.SUNDAR,J.)

This Writ Appeal has been filed against the order of the learned Single Judge dated 04.11.2019 made in W.P.No.17553 of 2017.

2. The appellant herein is the Writ Petitioner. Writ Petition in W.P.No.17553 of 2017 was filed by the appellant challenging the proceedings of the 2nd Respondent herein in RC.No.37962/GB III(2)/2016



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dated 12.04.2017 and for a direction to the Respondents to promote the appellant to the post of Deputy Commandant with effect from the date of promotion given to his juniors namely Durairaj and promote him to the above post with all monetary and service benefits including pensionary benefits.

3. The appellant appears to have filed a Writ Petition earlier in W.P.No.31293 of 2006 claiming identical relief and the same came to be dismissed on 07.07.2009 and the appeal before the Division Bench was also dismissed. The learned single Judge, by the impugned order, finding that the appellant/writ petitioner seeks to re-open the entire case, as his request stood rejected in the earlier round of litigation, has rightly dismissed the writ petition observing that he cannot be permitted to re-agitate the issue once again, which has become final. Moreover, the appellant, after attaining the age of superannuation, has filed the instant writ petition. Therefore, this Court is unable to interfere with the order of the learned Single Judge.



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4. Accordingly this Writ Appeal stands dismissed. No costs.

(S.S.S.R.,J.) (K.R.S.,J.)
03.07.2023

Index : yes/no
Neutral citation : yes/no
arr

To

1. The Secretary to Government
Home Department
Fort St. George, Chennai-9.
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Tamil Nadu Police Department
Mylapore, Chennai-4.
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