



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.3311 of 2023

Arun Kumar Tiwari

Petitioner

vs.

1.The Union of India,
Represented by Secretary,
Home Department,
New Delhi.

2.The Deputy Inspector General,
Central Industrial Security Force,
South Zone, Headquarters,
Madras.

3.The Commandant,
Central Industrial Security Force,
Neyveli.

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 records in connection with termination order No.V-11016/3/97-A6(ZZ) dated 18.06.1997 of 2nd respondent issued to the petitioner and quash the same and consequently direct the respondents to reinstate the petitioner with all salary benefits and relevant service benefits.

For Petitioner : Mr.K.Thiruvengadam

For Respondents : Mr.V.Chandrasekaran
Central Government Standing Counsel



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ORDER

This writ petition has been filed challenging the order of termination issued by the 2nd respondent through proceedings dated 18.06.1997.

2.The petitioner was appointed as a Constable by the 3rd respondent through an order dated 28.02.1996. The petitioner also completed his training. A show cause notice came to be issued against the petitioner on 05.03.1997 on the ground that he did not give the correct information regarding a criminal case that was pending against him. This ultimately ended in an order of termination passed by the 2nd respondent on 18.06.1997.

3.The petitioner filed a writ petition before the Allahabad High Court challenging this order of termination in the year 2001. The said writ petition came to be dismissed by the Allahabad High Court by an order dated 26.02.2020, mainly on the ground that the High Court did not have the territorial jurisdiction to entertain the writ petition.

4.In view of this development, the petitioner has filed the present writ petition before this Court challenging the termination order, dated 18.06.1997.

5 Heard Mr.K.Thiruvengadam, learned counsel appearing on behalf of



the petitioner and Mr.V.Chandrasekaran, learned Central Government Standing Counsel appearing on behalf of the respondents.

6.In the considered view of this Court, this writ petition is liable to be dismissed on the ground of laches. The petitioner was terminated from service in the year 1997 and the petitioner is questioning the same before this Court after nearly 25 years. The fact that the petitioner had filed an earlier writ petition before the Allahabad High Court and the same being dismissed for want of jurisdiction, does not take away the vital fact that the relief sought for by the petitioner at this length of time cannot be granted.

7.This Court does not find any justification to entertain this writ petition both on the ground of laches as well as on the merits of the case.

8.In view of the above, this writ petition stands dismissed. No Costs.

08.02.2023
(2/2)

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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N. ANAND VENKATESH, J.

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To

1. The Secretary,
Union of India,
Home Department,
New Delhi.
2. The Deputy Inspector General,
Central Industrial Security Force,
South Zone, Headquarters,
Madras.
3. The Commandant,
Central Industrial Security Force,
Neyveli.

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