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W.P.(MD)NO.9516 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9516 of 2023

Dominic Prakash

... Petitioner

Vs.

1. The Director General of Police,
O/o.The Director General of Police,
Tamil Nadu, Chennai 600 004.

2. The Commandant,
O/o.The Commandant,
TSP IX Battalion, Manimuthur,
Tirunelveli District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to send the petitioner for basic training as Police Constable Grade II by considering the representation of the petitioner dated 10.09.2020 within a time frame as may be fixed by this Court.

For Petitioner : Mrs.P.Jessi Jeeva Priya

For Respondents : Mr.T.Villavankothai,
Additional Government Pleader.

* * *

**ORDER**

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Heard the learned counsel on either side.

2. The petitioner's case is highly pathetic. He was selected as Grade II police constable way back in the year 2003. He was sent for training. Unable to bear the rigour of the training, the petitioner submitted a letter of resignation. His father however called upon the authorities to permit the petitioner to continue. The authorities referred the petitioner to Medical Board. The Medical Board found the petitioner to be physically and mentally fit. The petitioner took the stand that since no order was passed on his request for resignation, he is entitled to take part in the training. In this regard, the petitioner gave representation to the respondents. In the year 2011 the Director General of Police, Tamil Nadu, Chennai- 4 directed the authority to pass order accepting the petitioner's resignation with immediate effect. The petitioner appears to have submitted representations thereafter. The petitioner has moved this Court in the year 2023 for sending him for basic training for Police Constable Grade-II. The learned counsel appearing for the petitioner reiterated all the contentions set out in the affidavit filed in support of the



writ petition and called upon this Court to grant relief as prayed for.

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3. I am not able to accept the submissions advanced by the learned counsel appearing for the petitioner. As rightly pointed out by the learned Additional Government Pleader, the events date back to May 2004. A full 19 years have elapsed. When the petitioner was not able to bear the rigour of training when he was aged about 20 years, I fail to understand how he will bear the same when he is aged about 40 years. In any event, the petition is hopelessly barred by laches. Due to sheer efflux of time, the matter has become stale and infructuous. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

24.04.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

1. The Director General of Police,
O/o.The Director General of Police, Tamil Nadu, Chennai 600 004.
2. The Commandant,
O/o.The Commandant, TSP IX Battalion, Manimuthur,
Tirunelveli District.



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G.R.SWAMINATHAN,J.

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