



W.P.(MD).No.18160 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.06.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.18160 of 2019

K.Alagarsamy

... Petitioner

Vs.

1.The District Collector,
District Collectorate,
Virudhunagar District.

2.The Block Development Officer,
Thiruchi Panchayat Union,
@ M.Reddiyapatti,
Aruppukottai Taluk,
Virudhunagar District.

3.The Principal Accountant General,
O/o. the Accountant General,
Teynampet, Chennai – 600 018.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the first respondent in proceeding no.Na.Ka.P3/12042/2018 dated 27.06.2018 and quash the same insofar as rejecting the claim of the petitioner for treating the suspension period as duty period and consequently direct the



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respondents herein to regularize the suspension period from 24.07.2000 to 06.05.2001 as duty period for all purposes including for the purpose of pension with all monetary and other attendant benefits.

For Petitioner : Mr.M.Saravanakumar

For R-1 and R-2 : Mr.R.Suresh Kumar,
Additional Government Pleader.

For R-3 : Mr.P.Gunasekaran,
Standing Counsel.

ORDER

This Writ Petition is filed challenging the order dated 27.06.2018 with a consequential relief to direct the respondents to regularize the suspension period.

2. The petitioner was suspended on 24.07.2000 and was reinstated on 06.05.2001. The respondents have initiated disciplinary proceedings against the petitioner and the same had ended in imposing punishment of stoppage of increment for 3 years with cumulative effect. On appeal, the respondents have modified the punishment, wherein, the stoppage of increment for 3 years was confirmed but without cumulative effect. Aggrieved over, the petitioner again



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preferred an appeal and the same was confirmed. Thereafter, the petitioner attained superannuation on 30.04.2008. After lapse of 10 years, the petitioner made representation dated 07.05.2018, whereby the respondents after considering the same, has passed the impugned order. Challenging the same, the present Writ Petition is filed.

3. It is seen from the records that the petitioner has filed this Writ Petition after lapse of 10 years. The petitioner cannot endlessly litigate after retirement and also the petitioner has not explained the delay. Due to delay and laches, this Writ Petition cannot be entertained.

4. Hence, this Writ Petition is dismissed. No costs.

16.06.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr



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S.SRIMATHY, J.

Nsr

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