



WEB COPY



W.P.No.12363 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM
**THE HONOURABLE Mr.JUSTICE D.BHARATHA
CHAKRAVARTHY**

W.P. No.12363 of 2024

S.Daniel Fernando

...

Petitioner

/vs/

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai – 600 004.

2. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai – 600 007.

3. The Deputy Commissioner of Police,
Headquarters, Vepery,
Chennai – 600 007.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus to call for the records pertaining to PR No.186/H2/2010 dated 09.05.2011 passed by the third respondent and quash the same and as a consequential relief directing the respondents



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1 and 2 to cancel the punishment order pertaining to PR.No.186/H2/2010 and sanction of benefits, increments from 2010 to 2023, promotion of service and other benefits available for the petitioner.

For Petitioner ... Mr.T.Ramachandran

For Respondents ... Mr.Staling Abimanyu
Special Govt. Pleader for R1 to R3

ORDER

The petitioner is challenging the order of punishment dated 09.05.2011 and by which he is awarded with a punishment of postponement of increment for two years with cumulative effect.

2. It can be seen from the records filed along with the writ petition that the order was left to become final and no departmental appeal whatsoever was filed. The petitioner is approaching this Court after a period of 13 years only by submitting a mercy petition. Firstly, the petitioner has not even chosen to prefer an appeal and as such the order of punishment has become final. Even to approach this Court, the petitioner is



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approaching with a delay of 13 years. Therefore the writ petition suffers from grave delay and laches and the claim is stale.

3. Accordingly, this Writ petition stands dismissed. No costs.

30.04.2024

Index: Yes
Speaking order
Neutral Citation Case : No
bkn

To:

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D.BHARATHA CHAKRAVARTHY, J.,

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