



W.P.No.15709 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.06.2024

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THE HON'BLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.15709 of 2024

E.Rajendran

... Petitioner

Vs.

- 1.The Secretary to Government,
Home (Police) Department,
Government of Tamil Nadu,
Fort St.George,
Chennai – 600 009.
- 2.The Director General of Police,
Kamarajar Salai,
Mylapore, Chennai – 600 004.
- 3.The Deputy Director General of Police,
Kanchipuram Circle,
Kancheepuram.
- 4.The Superintendent of Police,
Thiruvallur District.
- 5.The Superintendent of Police,
Kancheepuram District,
Kancheepuram.

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the 1st respondent herein to consider and dispose my representation dated 30.06.2023 and to give Notional Promotion and consequent retirement benefits.

For Petitioner : Mr.R.Sampath Kumar

For Respondents : Mr.P.Ganesan
Government Advocate

ORDER

The writ petition is filed for a mandamus to direct the respondents to consider and dispose of the representation of the petitioner dated 30.06.2023 to grant notional promotion and consequent retirement benefits.

2. It is the case of the petitioner that the petitioner had passed PU C and as per G.O.Ms.No.1154/71 dated 26.04.1971. He should have been sent only for three months practical training. Some of the women Police Constable selected during the year 1981 retired as Inspector of Police and Deputy Superintendent of Police, whereas, the petitioner retired only as Sub-Inspector of Police.



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3. According to the petitioner, his case was not properly considered during the year 1985 to 1996 for the next promotion of Grade I and also for Head Constable and Sub-Inspector of Police. Has the promotions been correctly granted, he would have further got the promotion to the post of Inspector of Police also. Thus, it can be seen that the petitioner retired from service upon Superannuation with effect from 30.06.2009, now, from the year 2021 onwards, is making representation with reference to the promotion which are not given during the year 1985 to 1996. Even taking the averments on the face value, that the petitioner was wrongly denied promotion, the petitioner should have taken steps then and there and it is not for him to seek the correct all the errors that crept into during his service, 15 years after attaining Superannuation from service. Such a relief cannot be now granted by the respondents at this is belated point of time. Therefore, finding that the claim is stale and the prayer is hit by huge delay and latches, this Court is unable to accede to the prayer of the petitioner.

4. The learned counsel for the petitioner would contended that it is not for the first time the petitioner has made a representation dated 30.06.2023 and he has been making representation earlier also, and it is for the respondents to consider the same.



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5. But in view of the reasons stated above, the representation and the consideration thereof cannot be permitted for reviving a stale claim and as such I am unable to accede to the contention of the learned counsel for the petitioner. Accordingly, finding no merits, the writ petition is dismissed. No costs.

19.06.2024

Neutral Citation :No
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D.BHARATHA CHAKRAVARTHY, J.

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