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W.P.Nos.24662 & 24663 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.Nos.24662 & 24663 of 2024

S.Karthikeyan

.. Petitioner
(in W.P.No.24662 of 2024)

S.Suresh

.. Petitioner
(in W.P.No.24663 of 2024)

Vs.

1.The Director General of Police,
Mylapore,
Chennai – 600 002.

2.The Superintendent of Police,
Ariyalur District.

.. Respondents
(in both cases)

Prayer in W.P.No.24662 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus, to call for the records pertaining to Na.Ka.No.A2/12507/2023 dated 18.04.2024 on the file of the 2nd respondent and quash the same and direct the 1st respondent to include the petitioner's name in the appropriate place in the select list for the year 2001-2003 along with his batch mates with appropriate seniority as done for similarly placed person in W.P.No.9768 of 2012 dated, 27.04.2012,



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W.P.No.6403 of 2019 dated 06.03.2019 and W.P.Nos.41271 of 2006, 41272 of 2006 and 41273 of 2006 batch cases and award all consequential service benefits.

Prayer in W.P.No.24663 of 2023: Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus, to call for the records pertaining to Na.Ka.No.A2/12507/2023 dated Nil/04/2024 on the file of the 2nd respondent and quash the same and direct the respondents to include the petitioner's name in the appropriate place in the select list for the year 2001-2003 along with his batch mates with appropriate seniority as done for similarly placed person in W.P.No.9768 of 2012 dated, 27.04.2012, W.P.No.6403 of 2019 dated 06.03.2019 and W.P.Nos.41271 of 2006, 41272 of 2006 and 41273 of 2006 batch cases and award all consequential service benefits.

(In both cases):

For petitioner(s) : Mr.S.Soundararajan

For Respondents : Mr.V.P.R.Elamparithi
Additional Government Pleader

COMMON ORDER

These writ petitions have been filed challenging the proceedings of the 2nd respondent dated 18.04.2024 and Nil/04/2024 and for a



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consequential direction to the 1st respondent to include the name of the petitioners in the select list for the year 2001-2003 along with other batch mates by fixing their appropriate seniority as was done to the similarly placed persons.

2.Heard the learned counsel for the petitioners and the learned Additional Government Pleader for the respondents.

3.In the considered view of this Court, the petitioners joined the services in the year 2006 & 2008 respectively. All of a sudden, they wake up from a deep slumber in the year 2023 and make a representation to the effect that they must be included in the appropriate place in the selection list of the year 2001-2003. This representation has been rejected by the 2nd respondent. Aggrieved by the same, these writ petitions have been filed before this Court.

4.If the petitioners had such a right even when they joined in the year 2006 & 2008 respectively, they should have approached the concerned authority and sought for the relief at the earliest point of time.

The petitioners cannot be allowed to seek for such a remedy after more



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than 15 years. The orders that have been relied upon by the learned counsel for the petitioners are all orders which were passed when those petitioners had approached the Court at the earliest point of time. In the instant case, before the year 2023, the petitioners did not even raise their little finger and all of a sudden, they create a cause of action by giving a representation in the year 2023 and are seeking for the relief.

5.In service jurisprudence time becomes an important factor, since an exercise done after a considerable period of time will disturb the settled positions. Therefore, this Court does not find any grounds to interfere with the order passed by the 1st respondent.

6.In the result, both the Writ Petitions are dismissed. No costs.

29.08.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No



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- To
- 1.The Director General of Police,
Mylapore,
Chennai – 600 002.
 - 2.The Superintendent of Police,
Ariyalur District.



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N.ANAND VENKATESH, J.

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