



Writ Petition No.24426 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.24426 of 2024
and WMP No.26706 of 2024

S.Selvam

... Petitioner

Vs.

1. The Principal Secretary to Government,
Transport Department,
Secretariat, Fort St. George,
Chennai 600 009.

2. The Managing Director,
Metropolitan Transport Corporation Limited,
Pallavan Illam, Anna Salai,
Chennai 600 002.

...

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of certiorarified Mandamus to call for the records relating to the proceedings in Ka.No.25691/SaPi (NeeNa) 5 /MaPoKa /2019 (K.No.25691/ rgp (ePe) 5 / khnghf / 2019 on the file of the 2nd respondent dated 29.10.2019 and quash the same and further direct the respondents to give due promotion in the cadre of Assistant Manager with effect from 05.01.2017.



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For Petitioners : Mr.T.Pradeep Raja
For Respondents : Mr.M.Bindran
Additional Government Pleader
Mr.R.Balaji
Standing counsel for R2

ORDER

This writ petition has been filed challenging the proceedings of the 2nd respondent dated 29.10.2019 and for a consequential direction to the respondents to give promotion to the petitioner in the cadre of Assistant Manager with effect from 05.01.2017.

2. Heard Mr.T.Pradeep Raja, learned counsel for the petitioner and Mr.M.Bindran, learned Additional Government Pleader for 1st respondent and Mr.R.Balaji, learned standing counsel for 2nd respondent.

3. In the considered view of this Court, it is not



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necessary for this Court to go into the merits of this case. This writ petition is hit by latches. The petitioner has retired from service in the year 2017. The order has been passed on 29.10.2019 and till 2023, the petitioner has not taken any efforts to challenge the order. Ultimately, a representation is given to the Transport Minister in the year 2023. Based on the same, the present writ petition has been filed in the year 2024.

4. There is absolutely no explanation in the affidavit as to why it took five long years for the petitioner to approach this Court to file this writ petition. It is true that writ petitions are not governed by the law of limitation. However, the principle of latches certainly applies to a writ petition also. Therefore, this Court can always reject a writ petition on this ground also. The case in hand falls under that category.

5. In the result, this writ petition stands dismissed on the ground of latches. No costs. Consequently, the



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connected miscellaneous petition is closed.

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Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

rka

N.ANAND VENKATESH, J

rka



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To

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Chennai 600 009.
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