



W.A.(MD)No.202 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.A.(MD)No.202 of 2024

Maniraj

: Appellant

Vs.

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

2.The Superintendent of Police,
District Police Office,
Trichy Rural District,
Tiruchirappalli.

3.The Deputy Inspector General of Police,
Tiruchirappalli Range,
Trichy.

: Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent,
praying to set aside the order passed by this Court in W.P.(MD)
No.6359 of 2017 dated 18.03.2021.



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For Appellant : Mr.K.Appadurai

For Respondents : Mr.T.Amjad Khan

Government Advocate

JUDGMENT

[Judgment of the Court was delivered by **D.KRISHNAKUMAR, J.**]

This Writ Appeal has been filed as against the order of this Court in W.P.(MD)No.6359 of 2017 dated 18.03.2021.

2.Heard the learned Counsel on either side.

3.The appellant filed the aforesaid writ petition praying to quash the impugned punishment order passed by the second respondent in his proceedings in PR.67/H3/2008 dated 20.01.2009, which was confirmed by the impugned order of the first respondent in Rc.No.AP.IV(1)/75100/2009 dated 12.06.2009. The said order of the first respondent became final and the appellant has not challenged the same till 2017. Only thereafter, the appellant has filed a writ petition in the year 2017 before this Court.

4.According to the appellant, he was given promotion to the post of Superintendent in the year 2012 but he is entitled to get



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promotion as per the panel of seniority prepared for the year 2008-2009.

5. According to the learned Government Advocate for the respondents, the appellant was under punishment of postponement of increment for two years without cumulative effect. Hence, his name was not considered for promotion for the year 2009 to 20012.

6. The appellant has filed the Writ Petition only in the year 2017, challenging the impugned punishment order passed in the year 2009. Besides that the appellant has also not impleaded the correct persons in the aforesaid Writ Petition.

7. Considering the delay and laches and non-joinder of official parties and particularly when the petitioner is seeking for inclusion of his name in the promotion panel under the relevant rules, he should seek before the appellate authority within the period prescribed under the Rules. Now at this point of time, the appellant cannot seek for such relief after such lapse. Since there is an alternate efficacious remedy available to the appellant before the appellate authority, we are not inclined to entertain this Writ Petition.



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8.Accordingly, this Writ Appeal is dismissed. There shall be no order as to costs.

[D.K.K.,J.] & [R.V.,J.]
19.02.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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and

R.VIJAYAKUMAR, J.

MR

ORDER MADE IN

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