



WEB COPY

W.P.No.21825 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2025

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.21825 of 2011

and

M.P.No.1 of 2011

S.Muthuraj

... Petitioner

Vs.

1.The Director of Sugar and Cane Commissioner,
Director of Sugar,
No.690, Periyar Buildings, Nandanam,
Chennai – 600 035.

2.The Special Officer,
The National Co operative Sugar Mill Ltd.,
A-2731, Alanganallur (Via),
Madurai District – 625 502.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus after calling for the records of the 1st respondent proceedings Rc.No.9343/A&1/2011 dated 20.07.2011 and quash the same and consequently direct the 1st respondent to promote petitioner as Cane Officer with effect from 18.05.1985 and grant petitioner all attendant benefits including Dearness allowance from that date.

For Petitioner : Mr.V.Stalin

For Respondents : Mr.S.Arumugam
Government Advocate.

ORDER



The grievance of the petitioner in this writ petition is with regard to the promotion to the post of Cane Officer on the ground that, some of his juniors were promoted to the post of Cane Officer/Assistant Cane Officer during the year 1985, while ignoring the case of the petitioner.

2. Admittedly, the rules were amended in the year 1987 prescribing qualification of B.Sc (Agri) for the post of Cane Officer and the petitioner does not possess the said qualification. Even assuming that some of his juniors or co-employees were promoted to the post of Cane Officer/Assistant Cane Officer by relaxing the requirement of possessing requisite qualification during the year 1985, the petitioner failed to challenge the said promotion at the relevant point of time and finally approached this Court only in the year 2011, that is after a lapse of about 25 years.

3. In view of the same, the writ petition is liable to be dismissed solely on the ground of delay and laches. Further, as already noted above, admittedly, the petitioner does not possess the requisite qualification to hold the post of Cane Officer/Assistant Cane Officer. Hence, the question of considering the claim of the petitioner for being promoted to the post of Cane Officer/Assistant Cane Officer does not arise.



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4. As seen from the material on record, the petitioner has already retired from service almost a decade back and hence, for this reason also, this Court is not inclined to entertain the writ petition and grant relief as sought for in this writ petition. Accordingly, the writ petition is dismissed. The connected miscellaneous petitions, if any, shall stand closed. No costs.

06.01.2025

dpa

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

To

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MUMMINENI SUDHEER KUMAR, J.

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