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W.P.(MD) No.813 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.813 of 2022

and

W.M.P.(MD) No.658 of 2022

S.Murugan

... Petitioner

-VS-

1.The State of Tamil Nadu
rep.by its Home Secretary
St.George Fort, Secretariate
Chennai-600 009

2.The Director General of Police (DGP)
Government of Tamil Nadu
Dr.S.Radhakrishnan Salai
Mylapore, Chennai-600 004

3.The Superintendent of Police
O/o.Superintendent of Police
Tuticorin District

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records pertaining to the impugned orders passed by the 2nd respondent in Rc.No. 122539/Rect.II(1)/2009 dated 03.08.2011 and the order passed in Rc.No. 122539/Rect.II(2) /2009 dated 22.04.2021 and quash the same as illegal and consequently direct the respondent No.2 to revise the petitioner's seniority as per the order of the 2nd respondent dated 21.08.2001 in Reference No.C.No. 57000/Vol.10/REC.1/1999 dated 21.08.2001 with all attendant benefits and consequently to include his name in the panel fit for promotion to the post of Deputy Superintendent of Police and for the other reliefs.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.C.Satheesh
Government Advocate

ORDER

This writ petition has been filed challenging the order dated 03.08.2011 and the consequential order dated 22.04.2021, both passed by the second respondent.



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2. The grievance of the petitioner in this writ petition is that though he was appointed as Sub Inspector of Police by the second respondent through his proceedings dated 21.08.2001, he has not been promoted as Inspector of Police along with 1997 – 1998 batch of Sub Inspectors of Police. According to the petitioner, he ought to have been promoted as Inspector of Police along with the 1997 – 1998 batch of Sub Inspectors of Police. Earlier, the petitioner had filed a writ petition for a mandamus seeking for a direction to the respondents to consider his representation seeking to re-fix his seniority on par with the 1997 – 1998 batch of Sub Inspectors of Police, who were promoted as Inspectors of Police. Pursuant to the directions issued by this Court in the said writ petition, the respondents considered the petitioner's representation seeking for re-fixation of his seniority. The same has been rejected in the year 2009. The said rejection order was also challenged by the petitioner by filing another writ petition, in which the said rejection order was quashed by this Court and the respondents were directed to once again consider the petitioner's representation seeking for re-fixation of his seniority for the purpose of redressal of his grievance as raised in this writ petition. The same was also rejected once again under the impugned order dated 03.08.2011.



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3. Admittedly, the petitioner has retired from service subsequent to the filing of this writ petition. It is also brought to the notice of this Court by the learned Government Advocate appearing for the respondents that by the proceedings of the second respondent dated 20.11.2024 (Disciplinary Authority), the petitioner has been imposed with the punishment of compulsory retirement. Learned counsel for the petitioner is not aware of the said fact. Learned counsel for the petitioner also does not know as to whether the said compulsory retirement order has been challenged by the petitioner or not. There is no explanation given by the petitioner in the affidavit filed in support of this writ petition as to why he has chosen to challenge the impugned order passed in the year 2011 only in the year 2022 by filing this writ petition. In the affidavit filed in support of this writ petition, there is no proper explanation given by the petitioner for the inordinate delay in filing this writ petition, even though the impugned order came to be passed in the year 2011, though the learned counsel for the petitioner would submit that the petitioner was not served with the impugned order by the respondents. The said reason is not justifiable, since the delay is an inordinate delay and it is not a matter of one or two years. Being a public servant, who was in service,



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the petitioner would have known about the passing of the impugned order, though not immediately, but at least in a year or two at the maximum. Being an inordinate delay and that too when the learned counsel for the petitioner is not aware of the punishment of compulsory retirement imposed on the petitioner by the second respondent, which is also dated 20.11.2024, this Court, at this belated stage, cannot entertain this writ petition, as the same is hit by laches.

4. For the foregoing reasons, this Court does not find any merit in this writ petition and the same is, accordingly, dismissed. No costs. Consequently, connected miscellaneous petition is closed.

22.10.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

1.The Home Secretary,
State of Tamil Nadu,
St.George Fort, Secretariate,
Chennai-600 009.

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- 2.The Director General of Police (DGP),
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ABDUL QUDDHOSE, J.

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