



W.A(MD) No.1989 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 24.07.2025

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

W.A(MD) No.1989 of 2025
and
C.M.P.(MD)No.11416 of 2025

V.Sundararajan

... Appellant / Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by Principal Secretary to Government,
Public Works Department,
Secretariat, Chennai-600009.

2.The Engineer in Chief, WRO
and Chief Engineer (General),
Public Works Department,
Chepauk,
Chennai-600005.

... Respondents / Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 06.12.2024 in W.P.(MD)No.29395 of 2024 on the file of this Court.



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For Appellants : Mr.S.Ramanathan

For Respondents : Mr.A.Kannan
Additional Government Pleader

JUDGMENT

(Judgment of the Court was made by **G.R.SWAMINATHAN, J.**)

The appellant joined the Public Works Department as Technical Assistant on 01.01.1987. He was promoted as Junior Engineer on 14.07.1999. He retired as Junior Engineer on 30.06.2007. The appellant represented to the department that he ought to have been promoted as Junior Engineer in the year 1997 itself on par with his erstwhile juniors and that the belated granting of promotion was illegal. He further sought notional promotion and for conferment of consequential benefits. His request was rejected by the second respondent herein vide order dated 10.10.2024. Challenging the same, the appellant filed W.P.(MD)No. 29395 of 2024. The learned single Judge vide order dated 06.12.2024 dismissed the writ petition in the following terms:-

“4. A perusal of the impugned order reveals that the petitioner's services as Technical Assistant has been regularized on 01.01.1987 and he was promoted as a Junior Engineer on 14.07.1999 and he has attained superannuation on 30.06.2007. 17



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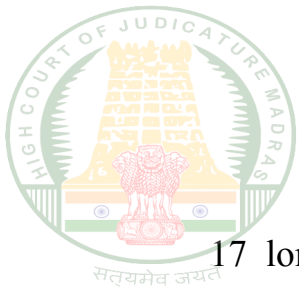
years after the date of his retirement such an application has been presented to revise the seniority in the cadre of Technical Assistant and thereafter grant notional promotion retrospectively. Such request has been rejected on the ground that it is belated request.

5. According to the learned counsel appearing for the writ petitioner, similarly placed persons have approached this Court and they have been granted benefits. However, the petitioner request has been rejected on the sole ground that it has been raised belatedly.

6. This Court is of the considered opinion that the petitioner having retired in the year 2007 and given the representation in the year 2023 seeking notional promotion, rejecting the request of the petitioner on the ground of laches by the authorities is right. There are no merits in this writ petition. Accordingly, this Writ Petition stands dismissed.”

Assailing the said order, this writ appeal has been filed.

2. Though the learned counsel for the appellant endeavoured to convince us that relief ought to be granted in this case, we are not impressed with his contention. The learned single Judge rightly non-suited the appellant on the ground of laches. The Hon'ble Supreme Court had held that in matters relating to seniority and promotion, the aggrieved employee must knock the doors of the Court within six months. In this case, the appellant has chosen to come to the Court after



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17 long years. The approach of the learned single Judge cannot be faulted. There is no merit in the writ appeal. If the appellant had been overlooked in the year 1997, he ought to have sought judicial remedy soon thereafter. He could not have slept over his rights. Law will protect only the vigilant and not a person who had slept over his rights. The Writ Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (K.R.S., J.)
24.07.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
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To

- 1.The Principal Secretary to Government,
Public Works Department,
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- 2.The Engineer in Chief, WRO
and Chief Engineer (General),
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