

**O.A.No.1369/2019**

## PRESENT

**&**

... Applicant

$$V_S$$

... Respondent

By Advocate Ms.S.Devie

**(Order: Pronounced by Hon'ble Mr.P.Madhavan, Member(J))**

Heard on the question of delay and maintainability. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

"(i)To quash the proceedings of the 1<sup>st</sup> respondent dated 18.09.2018 as illegal and invalid and

(ii)Reinstate the applicant back into the Police force with consequential benefits; and/or

(iii)Pass any other and further order(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and in the interest of justice."

2. The applicant is a Police Constable (Traffic) in Puduchery. According to him, he was compelled to resign from his post by letter dated 21.09.1994 (A-6) to the 1<sup>st</sup> respondent. His resignation was accepted by the respondent on 07.12.1994 (A-7). According to the applicant he had submitted his resignation under pressure from the superior officers and from outside.

3. He states that his superior officers were on enmity to him. They were against him for taking a case against one Mr.Mani who is an influential politician. He had given a representation to the I.G. Of police on 24.01.2004 requesting him to permit rejoining of service. But it was not considered. Then he filed a petition to the Chief Secretary also as Annexure A-9 & A-11 in the year 2005 & 2009. The respondents did not give any reply. Ultimately, the applicant filed a representation to the

Pondicherry Legal Service authority on 04.09.2018 for which the respondent gave A-15 reply refusing to accede to his request.

4. We have heard the counsel for the applicant. The applicant resigned from the post on 21.09.1994 and it was accepted by the respondents on 21.09.1994. As per rules, the applicant could have sought the withdrawal of resignation within 90 days. He did not do it and the first representation was given only in the year 2004, i.e., after a period of 10 years.

5. The OA is filed after 25 years after resignation. There is no satisfactory explanation given by the applicant for the long delay. Hence the OA is barred under Section 21 of the Administrative Tribunals Act, 1985.

6. Hence OA stands dismissed.

**(T.JACOB)**  
**MEMBER (A)**

**.12.2019**

**(P.MADHAVAN)**  
**MEMBER (J)**

M.T.