

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

Writ Petition.No.10587 of 2015

K.A.Shabu

... Petitioner

Vs.

1. The Chairman Cum Special Deputy Collector,
(Revenue Court) Cuddalore.
2. The Tenancy Record Officer cum
Tahsildar, Ambur.
3. Mr.Gopal.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for records in proceedings of the first respondent in I.A.No.01 of 2014 in TRAP No. 2014, dated 18.11.2014 and to quash the same.

For Petitioner : Mr.V.Lakshminarayanan

For Respondents 1 and 2 : Mr.Dig Vijay Pandian
Additional Government Pleader

सत्यमेव जयते
O R D E R

By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. The prayer in the Writ Petition is for issuance of a Writ of Certiorari to call for records in proceedings, dated 18.11.2014, issued by the first respondent in I.A.No.01 of 2014 in TRAP No... 2014, and to quash the same.

3. It is seen that against the order passed by the second respondent in favour of the petitioner, the third respondent filed an Appeal before the first respondent with a delay of 127 days, stating that, due to jaundice, he could not file the Appeal within the stipulated time, and to prove his illness, he has also filed a medical report, and based on the same, the first respondent condoned the delay, by order, dated 18.11.2014, Impugning the said order, the present Writ Petition is filed by the petitioner.

4. The learned counsel appearing for the petitioner submitted that, when the third respondent has not assigned any valid reason for condonation of delay in preferring the Appeal, the first respondent ought not to have condoned the delay.

5. I am not in agreement with the contention of the learned counsel for the petitioner. On a perusal of the detailed order passed by the first respondent, it is seen that the first respondent after taking into consideration of the reasons stated in the application for condonation of delay and also having regard to the medical certificate adduced by the third respondent, condoned the delay, and I do not find any reason to interfere with the same.

6. In the result, the Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sd

To

1. The Chairman Cum Special Deputy Collector,
(Revenue Court) Cuddalore.

2. The Tenancy Record Officer cum
Tahsildar, Ambur.

+1cc to Mr.V.Lakshminarayanan, Advocate, S.R.No.20237
+1cc to the Government Pleader, S.R.No.20413

Writ Petition.No.10587 of 2015

GJ(CO)
CA(13/05/2015)