



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
( Civil Appellate Jurisdiction )

Tuesday, the Twenty Ninth day of November Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice M.SATHYANARAYANAN  
and  
The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.11306 of 2016  
IN  
WA(MD) No.SR40658 of 2014

K.S.BHADRAN

... PETITIONER/APPELLANT

Vs

1 TAMILNADU KHADI AND VILLAGE INDUSTRIES BOARD,  
REP. BY ITS CHIEF EXECUTIVE OFFICER,  
KURALAGAM, CHENNAI.

2 THE ASSISTANT DIRECTOR  
TAMILNADU KHADI AND VILLAGE INDUSTRIES BOARD,  
NAGERCOIL,  
KANYAKUMARI DISTRICT

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 710 days in representing the above writ appeal in W.A.(MD).SR.No.40568/2014.

Prayer in W.A.(MD).SR.No.40568/2014:-

Memorandum of Grounds of Writ Appeal filed under clause 15 of the Letter Patent Act against the order passed by this Honourable Court in WP(MD)No.15147 of 2012, dated 30.07.2014.

Prayer in WP(MD)No.15147 of 2012:-

Writ Petition under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to consider the case of petitioner for promotion to the post of Apiarist Grade II with effect from 1998 with all consequential, monetary, service and attendance benefit from the year 1998 within a stipulated period prescribed by the Honourable Court .

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S. K.VAMANAN, Advocate for the petitioner and of



Mr.A.K.Baskara Pandian, Special Government Pleader on behalf of the Respondents the court made the following order:-

(Order of the Court was made by **M.SATHYANARAYANAN ,J.**)

Affidavit has been sworn to by the Advocate Clerk attached to the office of the learned counsel for the petitioner and it is stated that on account of shifting of office, the bundle was misplaced with other bundles and therefore the delay has occurred. He further stated that the delay in re-representation is neither wilful nor wanton. Therefore, the learned counsel appearing for the petitioner prays for condonation of delay.

2. Mr.AK.Baskara Pandian, learned Special Government Pleader accepts notice on behalf of the respondents and submitted that in the event of he petitioner/appellant succeeds in the writ appeal, the consequential benefits for the period of 710 days may be excluded.

3. This Court upon hearing the rival submissions, is of the view that the petitioner has satisfactorily explained the reasons for the delay in re-representation. Therefore the delay is condoned. It is open to the learned Special Government Pleader to bring to knowledge about the exclusion of above said period to the concerned Court at the time of passing orders. If the papers are otherwise in order, Registry is directed to number the appeal and list it for admission and print the name of Mr.AK.Baskara Pandian, learned Special Government Pleader for the respondents.

sd/-

29/11/2016

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Sub-Assistant Registrar (C.S.)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

TO

1 TAMILNADU KHADI AND VILLAGE INDUSTRIES BOARD,  
REP. BY ITS CHIEF EXECUTIVE OFFICER,  
KURALAGAM, CHENNAI.

2 THE ASSISTANT DIRECTOR  
TAMILNADU KHADI AND VILLAGE INDUSTRIES BOARD,  
NAGERCOIL,  
KANYAKUMARI DISTRICT

JIKR

CSL/EM-MPA/SAR-II/07.12.2016: 2P/3C

ORDER

IN

CMP(MD) No.11306 of 2016

IN

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Date :29/11/2016