

C.M.P.No.20408 of 2016
In
W.A.No.SR75221 of 2016

RAJIV SHAKDHER,J.
AND
R.SURESH KUMAR,J.

(Order of the Court was made by RAJIV SHAKDHER,J.)

1.This is an application seeking condonation of delay in filing the writ appeal.

1.1.The period of delay involved is 104 days.

2.Upon notice being issued in the application, service was effected on respondent nos.1 and 2.

2.1.Despite service, there is no appearance on behalf of the said respondents.

3.A perusal of the affidavit accompanying the application shows, qua, the impugned order dated 03.08.2016, an application for receipt of certified copy was made only on 01.09.2016.

3.1.The petitioner/ appellant avers that this delay occurred on account of over sight.

3.2.We find that there is no explanation given for delay caused

thereafter.

4.However, as indicated above, neither are the respondents represented before us, today, nor is there any affidavit filed in opposition, to the aforementioned application seeking condonation of delay.

5.Therefore, having regard to the facts and circumstances of this case, we are inclined to condone the delay, subject to payment of costs of Rs.5,000/- (Rupees Five Thousand Only), which shall be deposited with the Juvenile Justice Fund, payable to the Director, Directorate of Social Defence, No.300, Purasaiwalkkam High Road, Kellys, Chennai – 600 010.

5.1.Proof of cost, will be placed, on record.

5.2.The deposit will be made, by the appellant, within a period of two weeks, from the date of receipt of a copy of the order.

5.3.In case, the needful is done, the Registry, will number the writ appeal, if it is otherwise in order and place the same, before the Court, in the usual and ordinary course.

(R.S.A.,J.) (R.S.K.,J.)
10.04.2017

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