

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Monday, the Fourth day of December Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE HULUVADI G. RAMESH

and

THE HON`BLE MR JUSTICE RMT. TEEKAA RAMAN

CMP No.19784 of 2017

in WA.SR.No.70756 of 2017

1 THE ASSISTANT DIRECTOR OF
SURVEY AND LAND RECORDS,
COIMBATORE DISTRICT

[PETITIONERS]

2 THE DIRECTOR OF SURVEY
AND LAND RECORDS
CHENNAI 600 005

Vs

T.A.JOSEPH
FIRKA SURVEYOR (RETIRED)
RESIDENCE: 8/246,
SARADHA MILL ROAD,
PODANUR, COIMBATORE.

[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 208 days in filing the above Writ Appeal against the order dated 28.11.2016 made in W.P.No.41395/2005 (in CMP.No.19784/2017)pending disposal of the above WA.SR.No.70756/2017.

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.R.PRATHAP KUMARM, Additional Government Pleader on behalf of the petitioner and of M/S.R.BASARADOSS, Advocate for the 1st respondent the court made the following order:-

Heard.

Learned counsel appearing for the respondent vehemently argued that the delay is more than six months and it has not been properly explained. He further submitted that even after six months of retirement of the Respondents, arrears of salary and pensionary benefits are yet to be released.

With regard to the delay, from the submission made on behalf of the petitioners, we find that the delay has occurred due to the administrative process in getting legal opinion on filing the writ appeal. Therefore, the delay is condoned. However, with regard to arrears of salary and pensionary benefits, we make it clear that whatever legitimate claims, it would be settled within a month.

-sd/-

04/12/2017

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE ASSISTANT DIRECTOR OF
SURVEY AND LAND RECORDS,
COIMBATORE DISTRICT

2 THE DIRECTOR OF SURVEY
AND LAND RECORDS
CHENNAI 600 005

C.C. to M/S.R.BASARADOSS, Advocate, Sr.No.15311.

The Government Advocate, High Court, Madras - 104.

Order

in
CMP.19784/2017

in
WA.SR.No.70756/2017

Date :04/12/2017

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