



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

Wednesday, the Fifteenth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.VENUGOPAL
and

The Hon`ble Mr.Justice ABDUL QUDDHOSE

CMP(MD) No.9864 of 2017

IN

WA(MD) No.SR42402 of 2017

THE MANAGEMENT
TAMILNADU STATE TRANSPORT CORPORATION,
(MADURAI)LIMITED, BYE PASS ROAD,
MADURAI.

... PETITIONER / APPELLANT

Vs

1 THE PRESIDING OFFICER
LABOUR COURT, MADURAI.

2 MUTHU

... 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 228 days in filing this Writ Appeal against the order of this Honourable Court in WP(MD)No. 12903 of 2011 dated 09/02/2017 .

Prayer in WP(MD). 12903/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARI, calling for the records in I.D.No.14/1993, dated 11-02-2010 on the file of Labour Court, Madurai quash the same.

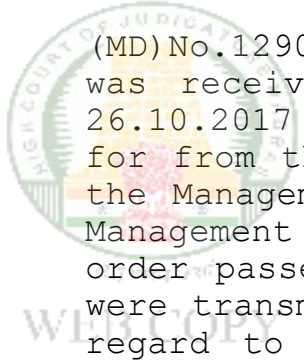
ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.A.JEYARAM, Advocate for the petitioner and of Mr.K.MUTHUMALAI, Advocate (Caveator) for R2, the court made the following order:-

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

Heard the Learned counsel for the Petitioner and the Learned Counsel appearing for the second Respondent.

2. No counter is filed on behalf of the second Respondent.

<https://hcservices.courts.gov.in/hcservices/> is represented on behalf of the
3. It is represented on behalf of the
Petitioner/Appellant/Transport Corporation that on 09.02.2017 in WP



(MD)No.12903 of 2011, an order was passed and the copy of the order was received by the Petitioner/Appellant/Transport Corporation on 26.10.2017 through post. Subsequently, a legal opinion was sought for from the panel advocate and the said opinion was placed before the Management to take further course of action in the matter. The Management had finally decided to prefer a Writ Appeal against the order passed in the Writ Petition. Thereupon, the connected papers were transmitted to the panel advocate for preparing the grounds in regard to the filing of the Appeal. In this process, there has occasioned a delay of 228 days, which is neither wilful nor wanton, but, due to the afore-said reason.

4. Considering the fact that the Petitioner/Appellant/Transport Corporation has preferred the instant Writ Appeal in WA(MD) SR.No.42402 of 2017 with a delay of 228 days and the reason ascribed at Paragraph No.10 of the affidavit of the Petitioner/Appellant in CMP(MD)No.9864 of 2017 points out to the administrative reason, this Court, by adopting a lenient and liberal view, in the interest of justice allows the Delay Condonation Petition subject to the rider that the Petitioner/Appellant/Transport Corporation shall remit a sum of Rs.250/- (Rupees Two Hundred and Fifty only) to the Tamil Nadu Mediation and Conciliation Centre, attached to the Madurai Bench of Madras High Court, Madurai, on or before 08.12.2017, failing which, the petition shall stand dismissed automatically without any further reference to this Court.

sd/-
15/11/2017

/ TRUE COPY /

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

TO

THE PRESIDING OFFICER
LABOUR COURT, MADURAI.

COPY TO:-

THE CO-ORDINATOR,
TAMIL NADU MEDIATION AND CONCILIATION CENTRE,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. C.C. to Mr.A.JEYARAM Advocate SR.No.34600

JAM/21/11.17/RR/SAR 1/ 2P-4C

ORDER IN
CMP(MD) No.9864 of 2017
IN
WA(MD) No.SR42402 of 2017
Date :15/11/2017