

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.4.2018

CORAM

**THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

C.M.P.No.7366 of 2018

in

W.A. SR.27872 of 2018

and

W.A. SR.27872 of 2018

N.Rajarathinam

Petitioner/Appellant

Versus

The Superintending Engineer,
Mettur Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Mettur Dam-1, Salem District.

Respondent/Respondent

Prayer: Petition filed under Section 5 of the Limitation Act to condone the delay of 1380 days in filing the above Writ Appeal against the order dated 2.6.2014 made in W.P.No.3258 of 2014.

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 2.6.2014 made in W.P.No.3258 of 2014 on the file of this court.

For petitioner/appellant : Mr.Badrinathan for
Mr.C.Prakasam

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the petitioner/appellant.

2. The present petition has been filed by the writ petitioner seeking to condone the delay of nearly four years in filing the writ appeal challenging the order passed by the learned Single Judge dismissing the writ petition, which was filed by him as against the rejection of claim for appointment on compassionate grounds on the ground that he had crossed the prescribed age limit.

3. On perusal of the affidavit filed in support of the petition seeking to condone the delay, though the petitioner/appellant had attributed the inordinate delay to various ailments of his relatives, he has not produced any supporting documents to prove such factum. Apart from that, the learned Single Judge has given a clear finding that at the time of death of the father of the petitioner/appellant, the petitioner/appellant was 37 years whereas as per the Scheme, the dependent who seeks appointment on compassionate grounds, should not have attained 35 years of age. Such a finding is put to challenge after a delay of about 4 years without properly explaining the same with supporting documents. Therefore, we are not convinced with the stand taken by the petitioner/appellant in the affidavit. Accordingly, the petition seeking to condone the delay is dismissed. Consequently, the writ appeal at SR stage is rejected. No costs.

(H.G.R.,J.)(M.D.I.,J.)

23.4.2018.

Index:Yes/No
Internet:Yes/No
ssk.

To

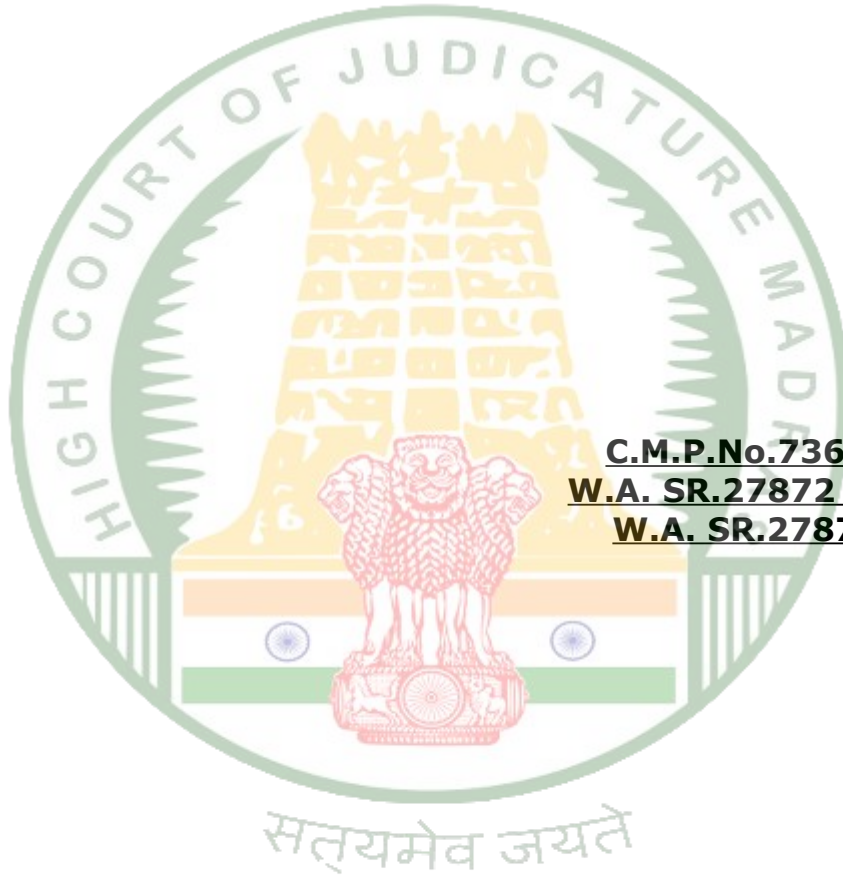
The Superintending Engineer,
Mettur Electricity Distribution Circle,
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**HULUVADI G. RAMESH, J.
AND
M.DHANDAPANI, J.**

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