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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.03.2018  
CORAM

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM  
AND**

**THE HONOURABLE MRS.JUSTICE R.THARANI**

C.M.P.(MD).Nos.1831 and 1832 of 2018  
in

W.A.(MD).Nos.SR41093 and SR41095 of 2014

1.The District Collector,  
Dindigul District.

2.The Assistant Director of  
Panchayat (Village)  
Dindigul.

... Petitioners / Appellants  
in both petitions

Vs.

1.Govindasamy

2.Paganatham Panchayat  
Rep by its President,  
Vedasandur Taluk,  
Dindigul District.

3.P.Subbiah  
Paganatham Panchayat President,  
Rep by its President, Vedasandur Taluk,  
Dindigul District.

... Respondents/Respondents  
in both petitions

PRAYER in C.M.P.(MD).Nos.1831 and 1832 of 2018: These Miscellaneous Petitions filed under Section 5 of the limitation Act, to condone the delay of 579 days in filing the Writ Appeal against the order dated 04.01.2012 passed in W.P.(MD).No.7280 of 2008.

PRAYER in W.A.(MD).Nos.SR41093 and 41095 of 2014:These Writ Appeals filed under Clause 15 of the Letters Patent, against the order of this Court dated 04.12.2012 made in W.P.(MD).No.7280 of 2008.

Prayer in WP(MD). 7280/ 2008 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling upon the relevant records pertaining to the impugned dismissal order passed by the 1st respondent in Na.Ka.No. 592/2007/a4 dated 28/07/2008 and quash the same .



For Petitioners : Mr.D.Muruganantham  
Additional Government Pleader

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O R D E R

[Order of the Court was delivered by T.S.SIVAGNANAM, J.]

Heard Mr.D.Muruganantham, learned Additional Government Pleader appearing for the petitioners.

2.These petitions have been filed to condone the delay of 579 days in filing the writ appeals.

3.The only reason given in the affidavit filed in support of these petitions to condone the delay is that the petitioners/appellants were busy in tackling the drinking water shortage in Dindigul District, as there was a direction from the superior officers to give top priority for the same and subsequently, there was an intervention of Parliament Election. In the affidavit filed in support of these petitions, the above averments are found only in Paragraph No.4 and all other averments are on the merits of the matter. The averments set out in the affidavit are vague and no particulars have been furnished, especially, when the order was passed in the writ petition on 04.12.2012 and the learned Single Judge has recorded in paragraph No.9 of the order that the third respondent has accepted the fact that there was violation of principles of natural justice. In any event, the writ Court only remanded the matter for fresh consideration and also fixed a time limit within which, it has to be done normally eight(8) weeks. This time limit also has not been adhered to.

4.Thus, we are not inclined to condone the inordinate delay in filing the writ appeals. Hence, these petitions are dismissed. Consequently, reject the Writ Appeals at SR stage.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

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RL/1C/2P/KK/SAR1/23/3/2018

C.M.P. (MD) .Nos.1831 and 1832 of 2018  
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