



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

Tuesday, the Fourth day of September Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mrs Justice PUSHPA SATHYANARAYANA
and
The Hon`ble Mrs.Justice T.KRISHNAVALLI

CMP(MD) No.9412 of 2016
IN
WA(MD) No.SR19646 of 2015

- 1 THE TAHSILDAR,
MADURAI NORTH TALUK, MADURAI 625 020.
- 2 THE REVENUE DIVISIONAL OFFICER
MADURAI 625 020.
- 3 THE DISTRICT REVENUE OFFICER,
MADURAI 625 020.
- 4 THE ASSISTANT DIRECTOR,
TAMIL NADU ARCHAEOLOGICAL DEPARTMENT,
MAHAL, MADURAI 625 001. ... PETITIONERS/APELLANTS

Vs

S.M.BALASUBRAMANIAN ... RESPONDENT/RESPONDENT

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 1275 days in filing the above Writ Appeal dated 02.08.2011 made in W.P.(MD)No.1974 of 2007, and thus render justice.

Prayer in WP(MD).1974/2007 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus, to direct the 3rd respondent to declare the election held on 7.1.2007 in Ramnad is invalid as well as null and void one.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MRS.J.PANDMAVATHI DEVI, Special Government Pleader for the petitioners and of MR.T.ARUL, advocate on behalf of the Respondent, the court made the following order:-

<https://hcservices.ecourts.gov.in/hcservices/>

Heard the learned Special Government Pleader appearing for the



petitioners and the learned counsel appearing for the respondent and perused the affidavit filed in support of this petition.

2. In Paragraph No.14 of the affidavit filed in support of this Civil Miscellaneous Petition, the reason cited is 'administrative delay' and however, this petition is strongly opposed by the learned counsel appearing for the respondent and he would submit that the delay is huge and enormous and except citing the above administrative delay, no plausible explanation is submitted as to such delay.

3. This Court taking into consideration the rival submissions and overall facts and circumstances of the case, is of the considered view that the delay in filing the above Writ Appeal(MD) No.19646 of 2015, is to be condoned by putting the petitioners/appellants on terms.

4. In the result, the delay is condoned and the petition is ordered subject to the condition that the petitioners/appellants shall jointly pay a sum of Rs.3,000/-(Rupees Three Thousand Only), to the respondent, within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall stand dismissed automatically without further reference to this Court.

sd/-

04/09/2018

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

TO

1 THE TAHSILDAR, MADURAI NORTH TALUK, MADURAI 625 020.

2 THE REVENUE DIVISIONAL OFFICER, MADURAI 625 020.

3 THE DISTRICT REVENUE OFFICER, MADURAI 625 020.

4 THE ASSISTANT DIRECTOR,
TAMIL NADU ARCHAEOLOGICAL DEPARTMENT,
MAHAL, MADURAI 625 001.

+1. C.C. to MR.T.ARUL, Advocate SR.No.17037

ORDER IN
CMP(MD) No.9412 of 2016 IN
WA(MD) No.SR19646 of 2015
Date :04/09/2018