

W.M.P.No.16195 of 2017

in

W.P.No.28332 of 2008

K.KALYANASUNDARAM,J

This Miscellaneous Petition has been filed to condone the delay of 3700 days in filing the petition to set aside the order of dismissal in W.P.No.28332 of 2008 dated 03.02.2010 and restore the same.

2. Heard Ms.R.Poornima, learned counsel for the petitioner as well as Mr.I.Sathish, learned Additional Government Pleader for R1 and R2 and Mr.Bharathkumar, learned Standing Counsel for R3 & R4 and Mr.R.Munusamy, learned counsel for R5.

3. Ms.R.Poornima, learned counsel for the petitioner would state that the petitioner was allotted a plot and she has paid the entire sale consideration. However, without issuing any notice to the petitioner, the allotment was cancelled by the Tamilnadu Housing Board. She would further submit that earlier, the learned counsel on record was admitted in hospital and he was in critical condition and thereafter, the case bundle was returned to the petitioner and

K.KALYANASUNDARAM, J

kal

subsequently, the petitioner engaged the present counsel and after verification of the case bundle, she came to know that the writ petition was dismissed on 03.02.2010 for non-payment of batta. In this process, the delay of 3700 days had occurred. Therefore, the delay is neither willful or wanton. Finding sufficient cause to condone the delay, this petition is allowed and the writ petition is restored to file.

5.Registry is directed to list the case after two weeks.

20.08.2019

kal

W.M.P.No.16195 of 2017

in

W.P.No.28332 of 2008

WEB COPY