

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

C.M.P.No.6786 of 2020
and W.A.No.SR 22938 of 2020

THE CHAIRAMAN
TAMIL NADU SLUM CLEARANCE BOARD,
NO.5, KAMARAJAR SALAI, CHENNAI-600 005.

.. Petitioner/
Appellant

-vs-

- 1 K.E.RAMAKANTHAN
- 2 J. BHUVANESWRAN
- 3 P.T.JACOB
- 4 P.S.MUTHUKRISHNAN
- 5 J. MOHANAN
- 6 P.N.SUBRAMANIAM
- 7 R. PONNAIAH
- 8 S. SATANATHA VALAL
- 9 M. RAMADOSS
- 10 SARASWATHI
- 11 BENJAMIN GONZAGA
- 12 M. KUPPUSAMY
- 13 T. SURIYANARAYAMOORTHY
- 14 V. ANJANEYALU
- 15 Y. EDWARD
- 16 A.G.BALATHANDAYUDAM

17 THE SECRETARY TO GOVERNMENT
OF TAMIL NADU, HOUSING AND
URBAN DEVELOPMENT DEPARTMENT
FORT ST GEORGE CHENNAI-600 009.

.. Respondents

CMP.6786 of 2020 filed under Section 5 of the Limitation Act to
Condone the delay of 3247 days in filing the above Writ Appeal under
Clause 15 of the Letters Patent as against the impugned order of the
Learned Judge dated 30.03.2011 made in WP.No.22157 of 2010.

For Petitioner/Appellant : Mrs.D.Latha

JUDGMENT

(Delivered by The Hon'ble Chief Justice)

We have heard learned counsel for the petitioner / appellant.

2.The appeal had been presented after a considerable delay that
came to be recorded by us in our order dated 19.08.2020, which is
extracted hereinunder:-

*"We have heard learned counsel for the petitioner, who
seeks an adjournment.*

*2.There is a huge delay of 3247 days. From the affidavit
filed in support of the delay condonation petition, we find no*

plausible explanation, much less sufficient cause so as to condone the delay. The explanation afforded, therefore, does not persuade us to accept the reasons given in the affidavit to condone the delay. Reasons have to be explained and cause has to be sufficiently shown, as explained by the Apex Court in the case of Esha Bhattacharjee v. Raghunathpur Nafar Academy, (2013) 12 SCC 649. The explanation not forthcoming, we do not find this to be a fit case to condone the delay.

3.Learned counsel for the petitioner prays for one indulgence to assist the Court further.

List on 9.9.2020. "

3.Learned counsel for the petitioner/appellant has not been able to place any material before us either in the shape of an affidavit or otherwise so as to demonstrate that this inordinate delay of 3247 days could be possibly condoned keeping in view the law laid down by this Court as referred to hereinabove.

We, therefore, in the absence of any such valid explanation forthcoming, do not find this to be an appeal worth entertaining on account of heavy laches.

The delay condonation petition is, accordingly, dismissed and the appeal is consigned to records.

(A.P.S., CJ.) (S.K.R., J.)
09.09.2020

Index : Yes/No

sra

To

1.THE CHAIRMAN
TAMIL NADU SLUM CLEARANCE BOARD,
NO.5, KAMARAJAR SALAI, CHENNAI-600 005.

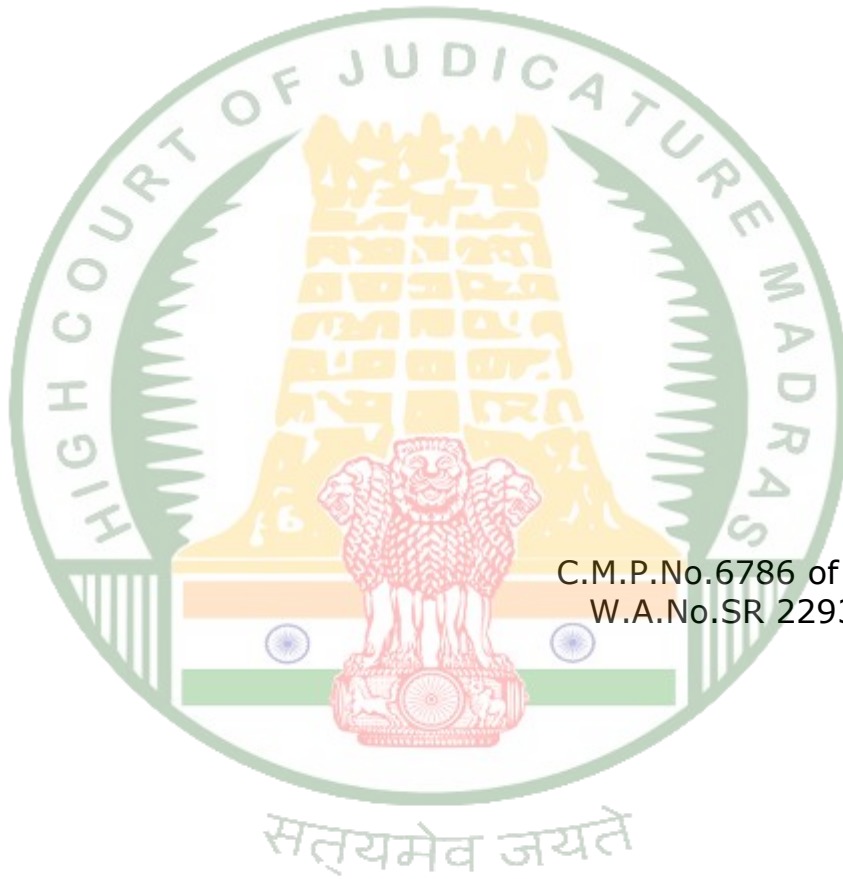
2.THE SECRETARY TO GOVERNMENT
OF TAMIL NADU, HOUSING AND
URBAN DEVELOPMENT DEPARTMENT
FORT ST GEORGE CHENNAI-600 009.

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C.M.P.No.6786 of 2020 and WA.No.SR 22938 of 2020

The Hon'ble Chief Justice
and
Senthilkumar Ramamoorthy, J.

(sra)



C.M.P.No.6786 of 2020 and
W.A.No.SR 22938 of 2020

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