



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Monday, the Seventh day of September Two Thousand Twenty

WEB COPY

PRESENT

The Hon`ble Mr.Justice M.SATHYANARAYANAN

and

The Hon`ble Mr.Justice P.RAJAMANICKAM

CMP (MD) No.271 of 2020

in

WA (MD) No.SR742 of 2020

THE MANAGEMENT OF TAMILNADU
STATE TRANSPORT CORPORATION, (MADURAI) LIMITED,
MADURAI DIVISION,
BYE PASS ROAD,
MADURAI.

... PETITIONER/APELLANT

Vs

1.THE LABOUR INSPECTOR,
ELLIS NAGAR,
MADURAI-625 016.

2.R.NALLAMANI

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 358 days in filing the above Writ appeal before this Honourable Court against the order dated 11.12.2018 made in W.P(MD).No. 22667 of 2016 on the file this Honourable Court.

PRAYER IN WA(MD)No.SR742 of 2020:

Pleaded to set aside the order dated 11.12.2018 in WP(MD) NO.22667 of 2016 on the file of this Hon'ble Court passed by the Hon'ble Single Judge by allowing this Writ Appeal.

PRAYER in WP(MD)NO.22667 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the first respondent in his proceeding in Na.Ka.No.Aa/5619/14 dated 19.08.2015, quash the same.



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.J.SENTHIL KUMARIAH, Advocate for the petitioner and of Mr.K.P.KRISHNADOSS, Special Government Pleader for R1 and Mr.G.M.XAVIER, Advocate for R2, the court made the following order:-

[Order of the Court was made by **M.SATHYANARAYANAN, J.,**]

This Court perused the affidavit and the additional affidavit filed in support of this petition and the delay appears to be administrative in nature.

2. However, this petition is strongly opposed by the learned counsel appearing for the respondents by submitting that the delay is nearly one year and add and in the absence of any plausible or acceptable reasons, such a huge delay cannot be condoned and prays for dismissal of this petition.

3. This Court, taking into consideration the averments made in the affidavit as well as the additional affidavit filed in support of this petition, is of the view that the delay in filing the writ appeal can be condoned by the putting the petitioner on terms.

4. In the result, this civil miscellaneous petition is ordered subject to the condition that the petitioner shall pay a sum of Rs.2,000/- (Rupees Two Thousand only) to the second respondent within a period of two weeks from today and also file a memo to that effect before the Registry. Registry, in the event of filing of the said memo, shall number the writ appeal, if the papers are otherwise in order and list it for admission and also print the name of Mr.G.M.Xavier, learned counsel, who appeared for the second respondent. Registry is also directed to put up the EB relating to W.A.(MD)Nos.1455 and 1456 of 2018 along with this matter.

sd/-

07/09/2020

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

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate / litigant concerned.



TO

THE LABOUR INSPECTOR,
ELLIS NAGAR, MADURAI-625 016.

WEB COPY

ORDER

IN

CMP (MD) No.271 of 2020

in

WA (MD) No.SR742 of 2020

Date :07/09/2020

VSM

TK/PN/SAR.4/09.09.2020/3P/2C