



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

Friday, the Seventh day of February Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice M.DURAISWAMY
and
The Hon`ble Mr.Justice T.RAVINDRAN

CMP (MD) No.308 of 2020
in
WA (MD) SR.NO.1615 of 2020

THE COMMISSIONER OF TECHNICAL EDUCATION,
GUINDY, CHENNAI 600 025 ... PETITIONER/APPELLANT

Vs

1 S.PARAMASIVAM ... RESPONDENT/RESPONDENT

2 THE PRINCIPAL
SANKAR INSTITUTE OF POLYTECHNIC,
SANKAR NAGAR AND POST,
TIRUNELVELI DISTRICT. ... 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 319 days in filing the writ appeal against the order dated 16.11.2018 in WP(MD). No.848 of 2015.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of V.R.SHANMUGANATHAN, SPECIAL GOVERNMENT PLEADER, for the petitioner and of MR.E.V.N.SIVA, Advocate for R1, the court made the following order:-

(Order of the Court was made by M.DURAISWAMY,J)

The learned Special Government Pleader appearing for the petitioner has made an endorsement giving up the second respondent in the Civil Miscellaneous Petition in C.M.P.(MD)No.308 of 2020. Therefore, the second respondent is giving up in this petition.

2. There is a delay of 319 days in filing the writ appeal.

3. The learned Counsel appearing for the first respondent submitted that the petitioner has not explained the reasons for the delay in a proper manner.



4. However on a perusal of the affidavit filed in support of this petition, it could be seen that the petitioner has explained the reasons for the delay. Since the delay is on higher side, we are of the view that the same can be condoned on payment of costs. Accordingly, the delay of 319 days in filing the writ appeal is condoned on condition the petitioner paying a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred only) to the first respondent within a period of one week 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.

5. The learned Special Government Pleader appearing for the petitioner submitted that the petitioner would pay the cost amount within three (3) days from today.

6. Recording the submission made by the learned Special Government Pleader, this petition is ordered.

sd/-
07/02/2020

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/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE COMMISSIONER OF TECHNICAL EDUCATION,
GUINDY, CHENNAI 600 025

ORDER
IN
CMP(MD) No.308 of 2020
in
WA(MD)SR.NO.1615 of 2020
Date :07/02/2020

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