



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

Monday, the Third day of August Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice M.SATHYANARAYANAN
and
The Hon`ble Mr.Justice P.RAJAMANICKAM

C.M.P. (MD)No.1560 of 2020
in
W.A. (MD)SR No.7920 of 2020

R.SRIMURUGAN

... APPELLANT/PETITIONER

Vs

1 THE PRINCIPAL SECRETARY TO GOVERNMENT,
HOME DEPARTMENT, SECRETARIAT,
FORT.ST.GEORGE, CHENNAI.

2 THE DIRECTOR GENERAL OF POLICE,
NO.1, DR.RADHAKRISHNAN SALAI,
MYLAPORE, CHENNAI-4

3 THE COMMISSIONER OF POLICE,
MADURAI CITY, MADURAI.

4 THE DEPUTY COMMISSIONER OF POLICE,
ARMED RESERVE,
MADURAI CITY, MADURAI.

... RESPONDENTS/RESPONDENTS

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 345 days in filing Writ appeal SR.No.7920/2020 and thus render justice.

PRAYER IN W.A. (MD)SR No.7920 of 2020:

To set aside the order dated 14.11.2018 passed in WP(MD) No.22740 of 2018 on the file of this Honb`le Court thereby allow the writ appeal.



Prayer in WP(MD). 22740/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari to call for the records pertaining to the impugned order in G.O.(D) No.924, Home (Police-VI) Department, dated 02/08/2018 and quash the same as illegal.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.A.RAJARAM, Advocate for the petitioner and of MR.VR.SHANMUGANATHAN, Special Government Pleader on behalf of the Respondents, the court made the following order:-

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

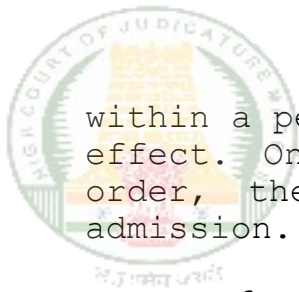
The petitioner, who is a serving Grade-II Police Constable, was imposed with the punishment of postponement of increment for one year with cumulative effect and challenging the said order, the petitioner had filed the writ petition, which came to be dismissed and hence, he come forward with this writ appeal with the delay of 345 days.

2. The learned counsel appearing for the petitioner has drawn the attention of this Court to the paragraph No.3 of the affidavit filed in support of the petition, wherein it is stated that the delay has occurred on account of the onset COVID - 19 pandemic virus.

3. Mr.VR.Shanmuganathan, learned Special Government Pleader, who accepts notice on behalf of the respondents would submit that the nature of delay has not been specified and as such delay in filing the appeal has not been properly explained.

4.This Court on going through the affidavit filed in support of this petition and upon hearing rival submissions, is of the view that the delay in filing is to be allowed by putting the petitioner on terms.

5. In the result, this Civil Miscellaneous Petition is **ordered** and the delay is condoned subject to the condition that the petitioner shall pay a sum of Rs.3,000/- (Rupees Three Thousand only), to the Additional Registrar General (In-charge)/Registrar (Judicial), Madurai Bench of Madras High Court, Madurai, for purchasing necessary equipments for High Court Dispensary etc.,



within a period of two weeks from today and also file a Memo to that effect. On filing of such memo, if the papers are otherwise in order, the Registry shall number this appeal and list it for admission.

6. Print the name of Mr.VR.Shanmuganathan, learned Special Government Pleader, appearing for the respondents.

sd/-
03/08/2020

/ TRUE COPY /

/ /2020
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

- 1 THE PRINCIPAL SECRETARY TO GOVERNMENT,
HOME DEPARTMENT, SECRETARIAT,
FORT.ST.GEORGE, CHENNAI.
- 2 THE DIRECTOR GENERAL OF POLICE,
NO.1, DR.RADHAKRISHNAN SALAI,
MYLAPORE, CHENNAI-4
- 3 THE COMMISSIONER OF POLICE,
MADURAI CITY, MADURAI.
- 4 THE DEPUTY COMMISSIONER OF POLICE,
ARMED RESERVE,
MADURAI CITY, MADURAI.

COPY TO:

THE ADDITIONAL REGISTRAR GENERAL (IN-CHARGE)/
REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP (MD) No.1560 of 2020
in
W.A. (MD) SR No.7920 of 2020
Date :03/08/2020

pkn

JM/JC/SAR 3/05.08.2020/3P/6C

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