



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

Wednesday, the Ninth day of September Two Thousand Twenty

PRESENT

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

CMP(MD) No.3679 of 2019

IN

WA(MD) SR.No.14264 of 2019

1 THE DISTRICT COLLECTOR,
TIRUNELVELI DISTRICT, TIRUNELVELI.

2 THE THASILDAR,
SANKARANKOVIL TALUK,
SANKARANKOVIL,
TIRUNELVELI DISTRICT.

... PETITIONERS/APELLANTS

Vs

1 KRISHNA THEVAR

... RESPONDENT/PETITIONER

2 THE ACCOUNTANT GENERAL (A&E)
PENSION, 391, ANNA SALAI,
CHENNAI.

... 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 376 days in filing the above Writ Appeal.

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.K.P.KRISHNADOSS, Special Government Pleader for the petitioners and of Mr.K.K.KANNAN, Advocate for R1 and of Mr.P.GUNASEKARAN, Advocate for R2, the court made the following order:-

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

Heard the submissions of Mr.K.P.Krishnadoss, learned Special Government Pleader appearing for the appellants/petitioners, Mr.K.K.Kannan, learned Counsel appearing for the first respondent and Mr.P.Gunasekaran, learned Counsel appearing for the second respondent and would submit that the order, which is the subject-



matter in this Writ Appeal has been complied with and nothing remains for adjudication in condoning the delay of this petition.

2. The only averment stated in the affidavit for condonation of delay in filing this Writ Appeal is extracted hereunder:-

"It is therefore prayed that this Hon'ble Court may be pleased to condone the delay of 376 days in filing the Writ Appeal and thus render justice."

3. In the considered opinion of this Court, the said reason cannot be construed as a plausible explanation for condonation nearly for more than one year of delay in filing this Writ Appeal.

4. Though the learned Counsel for the first respondent has no serious objection for ordering this petition, in the light of the said averment, this Court would like to put the petitioners/appellants on terms.

5. In the result, this Civil Miscellaneous Petition is **ordered** and the delay of 376 days is condoned on condition that the petitioners/appellants shall jointly pay a sum of Rs.5,000/- (Rupees Five Thousand only), to the recognized Bar Association of Sankarankovil, within a period of one week from today and also file a memo to that effect. On such filing of the Memo, if the papers are otherwise in order, the Registry shall number this appeal and list it for admission.

6. Registry is directed to print the name of Mr.K.K.Kannan, learned Counsel appearing for the first respondent and Mr.P.Gunasekaran, learned Counsel appearing for the second respondent.

sd/-
09/09/2020

/ 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 DISTRICT COLLECTOR,
TIRUNELVELI DISTRICT, TIRUNELVELI.

<https://hcservices.ecourts.gov.in/hcservices/>



2 THE THASILDAR,
SANKARANKOVIL TALUK,
SANKARANKOVIL,
TIRUNELVELI DISTRICT.

WEB COPY

COPY TO:
THE OFFICER INCHARGE,
BAR ASSOCIATION OF SANKARANKOVIL .

ORDER
IN
CMP (MD) No.3679 of 2019
IN
WA (MD) No.SR14264 of 2019
Date :09/09/2020

pkn
AE/PN/SAR-II (11.09.2020) 3P 4C