



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Friday, the Seventeenth day of July Two Thousand Twenty
PRESENT

**The Hon`ble Mr.Justice M.SATHYANARAYANAN
and**

The Hon`ble Mr.Justice P.RAJAMANICKAM

C.M.P(MD)No.3448 of 2020

in

W.A(MD)No.SR13762 of 2018

THE MANAGEMENT
THANJAVUR DISTRICT CENTRAL COOPERATIVE BANK LTD,
REP. BY ITS MANAGING DIRECTOR/ JOINT REGISTRAR,
THANJAVUR. ... PETITIONER/APPELLANT

Vs

1 THE ASSISTANT COMMISSIONER OF LABOUR,
O/O. DEPUTY COMMISSIONER OF LABOUR,
TIRUCHIRAPPALLI-20.

2 S.SETHURAMAN ... 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 773 days in representing the Writ Appeal made in W.A.SR No.13762 of 2018.

PRAYER IN W.A(MD)No.SR13762 of 2018:

To set aside the order passed by the learned Judge in WP(MD) No.8316 of 2016 dated 05.02.2018.

Prayer in WP(MD). 8316/ 2016 :

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 relating to the impugned order in Na.Ka.No.A2/2707/15 dated 23.09.2015 and consequential order vide Na.Ka.No.A2/2707/15 dated 04.01.2016 passed by the first respondent and 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.D.SHANMUGARAJA SETHUPATHI, Advocate for the petitioner and of MR.V.R.SHANMUGANATHAN, Special Government Pleader for R1 and of MR.G.M.XAVIER, Advocate for R2, the court made the following order:-

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



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

This Court heard the submissions of Mr.D.Shanmugaraja Sethupathi, learned counsel for the petitioner, Mr.V.R.Shanmuganathan, learned Special Government Pleader appearing for the first respondent and Mr.G.M.Xavier, learned counsel appearing for the second respondent.

2. The learned counsel appearing for the petitioner would submit that the delay in re-presentation had occurred due to the reason that he handed over the bundle to the Advocate Clerk and it was misplaced and could not be traced and therefore, the appeal papers could not be represented in time and prays for condonation of delay.

3.This Court has also perused the affidavit filed in support of this petition and this Court is of the view that the delay of 773 days in re-presenting the above writ appeal can be condoned by 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.5,000/- (Rupees Five Thousand only) to the Additional Registrar General in-charge/Registrar Judicial by 20.07.2020 and the learned counsel appearing for the petitioner also undertakes to file a memo through e-mail to the address of the Registry. The Registry on receipt of the said memo, shall number the writ appeal, if the papers are otherwise in order and list it for admission and print the name of Mr.V.R.Shanmuganathan, learned Special Government Pleader for the first respondent and Mr.G.M.Xavier, learned counsel for the second respondent.

sd/-
17/07/2020

/ 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

THE ASSISTANT COMMISSIONER OF LABOUR,
O/O. DEPUTY COMMISSIONER OF LABOUR,
TIRUCHIRAPPALLI-20.

COPY TO:

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

ORDER

IN

CMP (MD) No.3448 of 2020

in

W.A(MD)No.SR13762 of 2018

Date :17/07/2020

pm

AE/JC /SAR-III (20.07.2020) 3P 3C