



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

Tuesday, the Tenth day of March Two Thousand Twenty

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
and
The Hon`ble Mr.Justice C.SARAVANAN

CMP(MD) No.11452 of 2019

IN

WA(MD)No.SR18773 of 2019

A.SHANTHI

... PETITIONER/ PETITIONER/
APPELLANT

Vs

1 STATE OF TAMIL NADU,
REP.BY ITS THE DEPUTY SECRETARY,
LABOUR AND EMPLOYMENT DEPARTMENT,
FORT ST.GEORGE, CHENNAI-9.

2 THE MANAGEMENT,
TAMIL NADU STATE TRANSPORT CORPORATION,
REP.BY ITS GENERAL MANAGER,
KARAIKUDI.

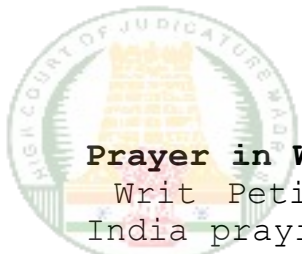
3 THE PRESIDING OFFICER,
LABOUR COURT AT MADURAI,
MADURAI.

... RESPONDENTS/ 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 1003 days in preferring the above Writ Appeal as against the order dated 30.6.2016 passed in WP(MD). No.35792 of 2002

PRAYER IN WA(MD)No.SR18773 of 2019:

Pleased to set aside the order passed in WP(MD)No.35972 of 2002 dated 30.06.2016 on the file of the Madurai Bench of Madras High Court and allow the Writ Appeal by directing the respondents notionally pass orders of re-instatement of husband of Appellant with continuity of service and backwages and to pay family pension and other terminal benefits to the Appellant by treating service from 28.06.1983 to 31.08.2016 as duty and pensionable service.



Prayer in WP(MD)No.35792 of 2002:

Writ Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorari, to call for the records pertaining to I.D.No.30 of 1995, on the file of the third respondent, Presiding Officer and quash the award passed in I.D.No.30 of 1995, dated 28.01.2002.

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.A.RAHUL, Advocate for the petitioner and of Mr.P.BALASUBRAMANIAN, Advocate for R2, the court made the following order:-

[Order of the Court made by **S.S.SUNDAR, J.**]

It is stated that the petitioner's husband filed the writ appeal dated on 13.02.2018. The delay is now 1003 days in filing the writ appeal. The writ petition was disposed of by order dated 30.06.2016. Though the delay had occurred during the life time of the petitioner's husband, who was prosecuting the writ petition, the petitioner states that she is unaware of the proceedings and that she is not aware of the arrangements the petitioner's husband had made.

2.We are convinced with the reasons stated in the affidavit filed in support of this petition. Since the delay has been properly explained, this petition is ordered and the delay is condoned on payment of Rs.1,000/- (Rupees one thousand only) to the Legal Aid Services Authority attached to this Bench, within a period of three weeks 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.

sd/-
10/03/2020

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

TO

1 THE DEPUTY SECRETARY,
STATE OF TAMIL NADU,
LABOUR AND EMPLOYMENT DEPARTMENT,
FORT ST.GEORGE, CHENNAI-9.

2 THE MANAGEMENT,
TAMIL NADU STATE TRANSPORT CORPORATION,
REF. BY ITS GENERAL MANAGER, KARAIKUDI.



3 THE PRESIDING OFFICER,
LABOUR COURT AT MADURAI,
MADURAI.

COPY TO:

THE AUTHORITY OFFICER,
LEGAL AID SERVICES,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP (MD) No.11452 of 2019
IN
WA (MD) No.SR18773 of 2019
Date :10/03/2020

ARUL
TK/VR/SAR.1/23.03.2020/3P/5C