

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Eighth day of December Two Thousand Twenty One

PRESENT

THE HON`BLE MR.JUSTICE M.DURAI SWAMY

AND

THE HON`BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

CMP.No.17684 of 2021

IN WA.SR.No.47027 of 2021

1 THE GOVERNMENT OF TAMIL NADU [PETITIONERS]
REP. BY ITS SECRETARY,
CO-OPERATIVE , FOOD AND CONSUMER
PROTECTION DEPARTMENT,
FORT ST.GEORGE, CHENNAI 600 006.

2 REGISTRAR OF CO-OPERATIVE SOCIETIES,
KILPAUK, CHENNAI - 600 010.

3 JOINT REGISTRAR,
VILLUPURAM REGION, VILLUPURAM.

Vs

R.VENU [RESPONDENT]
1ST STREET,
GOWTHAM NAGAR,
VALUDHA REDDY,
VILLUPURAM.

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 353 days in filing the above Writ Appeal against the order dated 25.02.2019 made in WP.No.11134 of 2011 and thus render justice (IN CMP.No.17684/2021).

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of GOVERNMENT PLEADER, Advocate for the petitioner, and of MR. BALAN HARIDAS, Advocate for the respondent, the court made the following order:-

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

There is a delay of 353 days in filing the above Writ Appeal.

2. Mr. Balan Haridoss, learned counsel appearing for the respondent pointed out that the petitioners have not stated a single reason for condoning the delay of 353 days.

3. On a reading of the Paragraph No.11 of the affidavit filed in support of the above petition, it could be seen that W.P. No.11134 of 2011 was disposed of on 25.02.2019 and thereafter, the appellant sought for legal opinion regarding the feasibility for filing an appeal and in the process of obtaining the legal opinion there was a delay of 353 days.

4. Since the delay is on the higher side, we are of the considered view that the same can be condoned on payment of costs.

5. Accordingly, the delay of 353 days in filing the above Writ Appeal is condoned on condition that the petitioners paying a sum Rs.5,000/- (Rupees five thousand only) as costs to the respondent within a period of one week from the date of receipt of a copy of this order. We make it clear that the petitioners shall pay the said amount of Rs.5,000/- to the learned counsel appearing for the respondent in this petition before this court within the time stipulated above, failing which, the petition shall stand dismissed automatically without any reference to this court.

The petition is ordered.

-sd/-
08/12/2021

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE SECRETARY,
GOVERNMENT OF TAMILNADU,
COOPERATIVE, FOOD AND CONSUMER
PROTECTION DEPARTMENT,
FORT ST. GEORGE,
CHENNAI - 600 006.

2 REGISTRAR OF COOPERTATIVE
SOCIETIES, KILPAUK, CHENNAI - 600 010.

3 JOINT REGISTRAR,
VILLUPURAM REGION, VILLUPURAM.

COPY TO

4 THE ASSISTANT REGISTRAR,
WRIT MAIN (AE)
HIGH COURT, MADRAS.

Order
in
CMP.No.17684 of 2021

IN WA.SR.No.47027 of 2021

Date :08/12/2021

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