



C.M.P.No.16394 of 2022
in
W.A.SR.No.112990 of 2021

WEB CO THE HON'BLE ACTING CHIEF JUSTICE
and
D.BHARATHA CHAKRAVARTHY, J.

This petition has been filed to condone the delay of 478 days in filing the appeal against the order passed by the learned Single Judge in W.P.No.2585 of 2017, dated 30.11.2018.

2. Learned counsel for the writ petitioner submitted that after the impugned order was passed in W.P.No.2585 of 2017, dated 30.11.2018, certified copy of the same was made ready on 30.12.2018. It is further submitted that after cancelling his earlier allotment in Alapakkam Housing Scheme, he was allotted with Plot No.312 in Nolambur Scheme based on his request. The writ petitioner at no point of time had given two applications for allotment of plots before the Housing Board. Initially he was allotted with a plot in Alapakkam Scheme, but, later, based on his request, he was allotted with Plot No.312 in Nolambur Scheme by cancelling the earlier plot allotted to him under Alapakkam Scheme. The writ petitioner had also paid the entire cost to the tune of Rs.30,22,440/- by borrowing money from the outsiders for interest. Since the order of cancellation of the earlier plot allotted to the writ petitioner was not looked into properly by the learned Single Judge, the writ petitioner has been constrained to file the writ appeal, but,



since the writ petitioner has faced with the financial crunch, he was unable to file the appeal within a reasonable time. Therefore, the problem faced by the writ petitioner in not filing the appeal in time is neither willful nor wanton and such delay has occurred only with the bonafide reasons, he pleaded.

3. Learned counsel for the respondents has no objection to condone the delay application.

4. Therefore, the delay petition is condoned subject to the payment of Rs.2,000/- to the advocate clerk association within a period of two weeks from the date of receipt of a copy of this order. Post after two weeks.

(T.R.,A.C.J.) (D.B.C.,J.)

11.11.2022

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