



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

Tuesday, the Eleventh day of October Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice R.MAHADEVAN
and
The Hon`ble Mr.Justice J.SATHYA NARAYANA PRASAD

C.M.P.(MD) No.3937 of 2021
in
W.A.(MD) SR No.16785 of 2021

THE SUPERINTENDENT OF POLICE,
THIRUVALLUR DISTRICT,
THIRUVALLUR.

... PETITIONER / APPELLANT / 3rd PARTY

Vs

1 TR.K.KANNAIYA,

... RESPONDENTS / RESPONDENTS

2 THE SECRETARY TO GOVERNMENT,
HOME DEPARTMENT,
GOVERNMENT OF TAMIL NADU,
FORT ST. GEORGE, CHENNAI - 600 009.

3 THE DIRECTOR GENERAL OF POLICE,
KAMARAJAR SALAI,
MYLOPORA,
CHENNAI - 600 004.

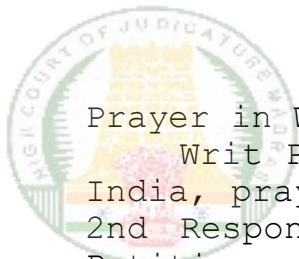
4 THE SUPERINTENDENT OF POLICE,
THANJAVUR DISTRICT,
THANJAVUR.

... RESPONDENTS / RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 1681 days in filing the writ appeal to against the order dated 22.07.2015 made in W.P.(MD).No.12607 of 2015.

PRAYER IN W.A.(MD) SR No.16785 of 2021:

To allow the Writ Appeal by set-aside the order dated 22.07.2015 made in WP(MD)No.12607 of 2015.



Prayer in WP(MD). 12607/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd Respondent to consider and pass orders on the basis of the Petitioner's representation dated 18.9.2013 for notional promotion and retirement benefits in the light of G.O. Ms. No. 844 Home Dept., dated 03.06.1997 and G.O.Ms.No.15 Home Department, dated 07.01.2010.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.N.GA.NATARAJ, Government Advocate for the petitioner and of MR.G.THALAI MUTHARASU, Advocate on behalf of the 1st Respondent, the court made the following order:-

The civil miscellaneous petition is filed to condone the delay of 1681 days in filing the above writ appeal.

2. Heard Mr.N.GA.Nataraj, learned Government Advocate, appearing for the petitioner.

3. Despite service of notice on the 1st respondent and his name appears in the cause list, there is no representation for the 1st respondent.

4. Though administrative reason has been cited to condone such a huge delay of 1681 days, in order to give opportunity to the petitioner/appellant to contest the case on merits, this Court is inclined to allow the petition on payment of costs. Accordingly, this petition is ordered and the delay of 1681 days in filing the Writ Appeal is condoned on condition that the petitioner shall pay a sum of Rs.1,000/- (Rupees One Thousand only) to the credit of the Hon'ble The Chief Justice's Relief Fund, payable at Madurai Bench of Madras High Court, within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall automatically be dismissed without further reference to Court. On payment of costs as stated above, the Registry is directed to number the writ appeal, if the papers are otherwise in order and list it for hearing in the usual course.

sd/-

11/10/2022

/ TRUE COPY /

/10/2022

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

TO

1 THE SECRETARY TO GOVERNMENT,
HOME DEPARTMENT,
GOVERNMENT OF TAMIL NADU,
FORT ST. GEORGE, CHENNAI - 600 009.

<https://www.mhc.tn.gov.in/judis>



2 THE DIRECTOR GENERAL OF POLICE,
KAMARAJAR SALAI,
MYLOPORA,
CHENNAI - 600 004.

3 THE SUPERINTENDENT OF POLICE,
THANJAVUR DISTRICT,
THANJAVUR.

COPY TO:

1 THE OFFICER INCHARGE,
CHIEF JUSTICE'S RELIEF FUND,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE SECTION OFFICER,
AE SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

C.M.P. (MD) No.3937 of 2021

in

W.A. (MD) SR No.16785 of 2021

Date :11/10/2022

MK/GB/SAR.II/14.10.2022/2P/6C