



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

Tuesday, the Thirtieth day of August Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR
and
The Hon`ble Mrs.Justice S.SRIMATHY

C.M.P (MD) No.7773 of 2022
in
W.A (MD) SR.No.52019 of 2018

E.WALTER

... PETITIONER/APPELLANT

Vs

MANONMANIAM SUNDARANAR UNIVERSITY,
REPRESENTED BY THE REGISTRAR,
ABHISHEKAPATTI, TIRUNELVELI-627 012.

... RESPONDENT/RESPONDENT

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 579 days in representing the returned papers in W.A(MD).SR.No.5209 of 2018 on the file of this Honble Court, pending disposal of the above appeal.

PRAYER IN W.A(MD)SR.No.52019 of 2018:

To set aside the order dated 19.09.2018 in W.P.(MD)No.19698 of 2018 on the file of this Hon'ble Court.

PRAYER IN W.P.(MD)No.19698 of 2018:

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of declaration declaring that the order passed by the respondent vide his proceedings in Memo No.MSU/R/Estt/Admn/NMR/29/2018, dated 28.08.2018 as illegal as per Section 25(7) of the Industrial Disputes Act, 1947.

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 M/S S.SIVA THILAKAR, Advocate for the petitioner, the court made the following order:-



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

This petition is filed to condone the delay of 579 days in re-presenting the above appeal.

2. Heard Mr.S.Siva Thilakar, learned counsel for the petitioner.

3. Though this Court is convinced with the reasons stated in the affidavit filed in support of this petition to condone the delay in re-presenting the appeal papers, this Court is of the view that the delay could have been avoided by the petitioner by showing due diligence.

4. Having regard to the facts and circumstances of the case, this Court is inclined to allow this petition on terms. Accordingly, this petition is allowed on condition that the petitioner shall pay a sum of Rs.1,000/- (Rupees one Thousand Only) to the credit of the High Court Legal Services Committee, Madurai Bench of Madras High Court, Madurai, 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.

sd/-
30/08/2022

/ TRUE COPY /

/09/2022

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

pm

TO
THE REGISTRAR,
MANONMANIAM SUNDARANAR UNIVERSITY,
ABHISHEKAPATTI, TIRUNELVELI-627 012.

COPY TO
THE OFFICER INCHARGE,
LEGAL AID SERVICE AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
C.M.P (MD) No.7773 of 2022
in
W.A (MD) SR.No.52019 of 2018
Date :30/08/2022

RK/SVR/SAR-I (05/09/2022) 2P/3C

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