



WEB COPY

CMP(MD)



22

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

Monday, the Twenty Second 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

CMP(MD) No.7415 of 2022

IN

WA(MD) SR.No.43660 of 2022

K.BALASUBRAMANIAN

... PETITIONER/APELLANT

Vs

1 THE DISTRICT COLLECTOR,
THANJAVUR DISTRICT,
THANJAVUR.

2 THE PROJECT DIRECTOR,
DISTRICT RURAL DEVELOPMENT AGENCY,
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 127 days in filing the writ appeal against the order passed by this Honourable Court in WP(MD).No.8939 of 2021 dated 15-11-2021.

Prayer in WA(MD)SR.No.43660 of 2022 :

To set aside the order passed by this Hon'ble Court in WP(MD) No.8939 of 2021 dated 15.11.2021.

Prayer in WP(MD) . 8939/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance a Writ of Certiorarified mandamus, to call for the records relating to the impugned order of suspension issued by the 1st respondent in R.C.No.10597/2020/K.4 dated 21.10.2020 and to Quash the same and consequently directing the respondents to reinstate the petitioner into service, with all consequential and other attendant benefits.

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.G.SANKARAN, Advocate for the petitioner and of MR.J.ASHOK, Additional Government Pleader on behalf of the Respondents, 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 127 days in filing the above writ appeal.

2. Heard Mr.G.Sanakaran, learned counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader, who takes notice for the respondents.

3. In the affidavit filed in support of this petition, the petitioner has stated that due to health condition and adverse financial condition, he could not file the appeal in time. Though the petitioner has given reasons for the delay, 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.

5. Registry is directed to number the writ appeal, if the papers are otherwise in order, after showing proof for payment.

sd/-

22/08/2022

/ TRUE COPY /

/08/2022

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

TO

- 1 THE DISTRICT COLLECTOR, THANJAVUR DISTRICT, THANJAVUR.
- 2 THE PROJECT DIRECTOR, DISTRICT RURAL DEVELOPMENT AGENCY, THANJAVUR DISTRICT, THANJAVUR.

COPY TO

- 1 THE OFFICER INCHARGE, HIGH COURT LEGAL SERVICES COMMITTEE, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2 THE SECTION OFFICER, JUDICIAL SECTION, MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN

CMP(MD) No.7415 of 2022

IN WA(MD) SR.No.43660 of 2022

Date :22/08/2022

PM

RS/JM/SAR.4 (24.08.2022) 2P-5C

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