



C.M.P.No.7940 of 2023
IN
W.A.SR.No.34341 of 2023

R.MAHADEVAN, J.
AND
MOHAMMED SHAFFIQ, J.

(Order of the Court was made by R.Mahadevan, J.)

This civil miscellaneous petition has been filed by the petitioner seeking to condone the delay of 1992 days in filing the above writ appeal.

2. We perused the affidavit filed in support of this petition, wherein, it has been stated that the petitioner, who joined duty as Technical Assistant Gr-I during December 2004 under contractual basis, filed W.P.No.29661 of 2015, seeking a direction to the respondent authorities for permanent absorption. The learned Judge, by order dated 24.08.2017 dismissed the said writ petition. In the meanwhile, a resolution was passed on 31.05.2016 in the 50th Governing Council Meeting and Annual General Body Meeting of Irrigation Management Training Institute, Trichy, to terminate the petitioner from service. Claiming reinstatement into service, the petitioner filed W.P.No.27793 of 2017. The said writ petition was dismissed by the learned Judge, observing that the petitioner, without challenging the order dated 24.08.2017 passed in W.P.No.29661 of 2015, which was filed seeking a similar relief, cannot be sustained. Thereafter, the petitioner filed the present writ appeal with a delay of 1992 days, which is neither wilful nor wanton and therefore, the same may be condoned.



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3. Having regard to the reasons stated by the learned counsel for the petitioner, which appear to be bonafide, considering the huge delay in filing the writ appeal, we are inclined to condone the delay subject to payment of costs of Rs.2,000/- by the petitioner to the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, within a period of two weeks from the date of receipt of copy of this order.

4. Upon production of receipt for payment of costs, this civil miscellaneous petition stands ordered.

[R.M.D., J.] [M.S.Q., J.]
11.10.2023

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