



C.M.P.No.8225 of 2021 in W.A.SR.No.55471 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.01.2023

CORAM :

THE HON'BLE MR.T.RAJA, ACTING CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

C.M.P. No.8225 of 2021 in W.A.SR No.55471 of 2019

1. The Principal Secretary /  
Commissioner of Land Reforms  
O/o Director of Urban Land Ceiling &  
Urban Land Tax  
Chepauk, Chennai 600 005

2. The Assistant Commissioner  
Urban Land Tax, Tambaram Zone  
Chennai 600 088

.. Petitioners/Appellants

v.

M.Baskar

.. Respondent/Respondent

Civil Miscellaneous Petition filed under Section 5 of the Limitation Act praying to condone the delay of 1299 days in filing the writ appeal, against the order dated 02.09.2015 passed in W.P.No.8657 of 2009.



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For Petitioners/  
Appellants

::

Mr.P.Kumaresan  
Additional Advocate General  
assisted by  
Mr.P.Muthukumar  
State Government Pleader

For Respondent

::

Mr.V.Srikanth

**ORDER**

(Order of the Court was made by the Hon'ble Acting Chief Justice)

C.M.P.No.8225 of 2021 has been filed by the State to condone the delay of 1299 days in filing the appeal against the order dated 02.09.2015 made in W.P.No.8657 of 2009.

2. Heard the learned Additional Advocate General appearing for the petitioners/appellants.

3. In the affidavit filed in support of the petition to condone the huge delay of 1299 days, the petitioners/appellants have stated that after the order was passed in the writ petition on 02.09.2015, the order copy was received in the office of the first petitioner on 06.11.2015. It is also stated that legal



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opinion for filing appeal was sought for vide letter dated 27.10.2015 and the opinion for filing the appeal was received on 08.11.2017. However, due to heavy burden of works and manpower shortage, the appeal could not be filed in time, as a result the aforementioned delay of 1299 days has occurred.

4. When it is a settled legal position that each day's delay has to be explained with sufficient cause, we do not find any good reason to entertain the petition seeking to condone a huge and unexplained delay of 1299 days in filing the appeal against the order dated 02.09.2015 made in W.P.No.8657 of 2009. Therefore, C.M.P.No.8225 of 2021 is dismissed. Consequently, W.A.SR.No.55471 of 2019 stands rejected.

Speaking/Non speaking order

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

Index : yes/no

12.01.2023

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To

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THE HON'BLE ACTING CHIEF JUSTICE  
AND  
D.BHARATHA CHAKRAVARTHY,J.

SS

C.M.P.No.8225 of 2021  
in W.A.SR.No.55474 of 2019

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