



C.M.P.No.18422 of 2023  
IN  
W.A.SR.No.58601 of 2023

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

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

This petition is filed by the petitioner/appellant seeking to condone the delay of 1444 days in filing the above Writ Appeal.

2.Mr.R.Sankarasubbu, learned counsel for the petitioner/appellant submitted that the impugned order was passed by the learned Judge on 12.04.2019, against which, the appellant could not prefer an appeal, due to COVID-19 situation and for want of funds. Thus, according to the learned counsel, the delay occasioned in filing the appeal is neither wilful nor wanton, and hence, the same may be condoned.

3.Mrs.Mythreye Chandru, learned Special Government Pleader, who takes notice for the respondents, has no objection in condoning the delay in filing the appeal.



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4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side and also taking note of the legal position that the question of limitation is not based on technical consideration, but is on the principles of public policy and equity; and the substantial justice is paramount consideration and pivotal, this court is inclined to condone the delay in filing the appeal.

5. Accordingly, the delay is condoned and this petition is ordered as prayed for.

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

17.08.2023

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***Note :** Registry is directed to number the appeal, if it is otherwise in order*

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