



Review Application No.212 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2023

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Review Application No.212 of 2023

K.Narayanasamy Gounder

K.Elumalai Gounder (Deceased)

: Applicant

versus

1. The State of Tamil Nadu,  
Rep. by its Secretary,  
Adhidraavidar Department,  
Fort St. George, Chennai 600 009.

2. The District Collector,  
Villupuram District, Villupuram.

3. The Land Acquisition Officer,  
The Special Tahsildar (ADW),  
Gingee Taluk, Villupuram District.

: Respondents

Prayer: Review application filed under Order 47 Rule 1 read with Section 114 CPC to review the order dated 14.03.2023 in C.M.P.No.19545 of 2022 in WA.SR.No.79562 of 2022 on the file of this Court.

For the Petitioner

:

Mr.M.Padmanaban

For the Respondents

:

Mrs.R.Anitha,  
Special Government Pleader

Page 1 of 4



Review Application No.212 of 2023

**ORDER**

(Made by the Hon'ble Chief Justice)

We have heard Mr.M.Padmanabhan, learned counsel for the petitioner and Mrs.R.Anitha, learned Special Government Pleader, for the respondents.

2. The present application is filed seeking review of the order dated 14.03.2023 rejecting the application for condonation of delay of 117 days in filing the appeal.

3. In the application filed for condonation of delay, the petitioner has cited Covid-19 as the cause of reason. The order sought to be appealed was passed on 13.07.2021. The petitioner applied for certified copy of the order on 20.07.2021 and the same was received by the petitioner's counsel on 14.09.2021. The petitioner was informed in the first week of October, 2021. The appeal was filed on 14.11.2022 and a delay of 117 days was caused in filing the appeal. The Court had observed that normalcy has been restored in March 2022.

4. We would consider the matter on merits. Reasons were given in the application filed by the petitioner. It is trite that when cause for substantial justice and technical considerations are pitted against each other, the cause for



Review Application No.212 of 2023

substantial justice has to be sub-served.

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5. In light of that, we recall the order dated 14.03.2023 in CMP No.19545 of 2022 in WA SR No.79562 of 2022 and condone the delay caused in filing the appeal.

6. If the appeal WA SR No.79562 of 2022 complies with all other legal requirements, let the same be numbered.

7. The review application accordingly stands allowed and disposed of. There will be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

11.12.2023

Index : Yes/No  
Neutral Citation : Yes/No  
tar

To

1. The Secretary,  
Adi Dravidar Department,  
Fort St. George, Chennai 600 009.
2. The District Collector, Villupuram District
3. The Land Acquisition Officer,  
The Special Tahsildar (ADW),  
Gingee Taluk, Villupuram District.



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THE HON'BLE CHIEF JUSTICE

AND

D.BHARATHA CHAKRAVARTHY, J.

(tar)

Review Application No.212 of 2023

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