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C.M.P. No.17201 of 2023

in

W.A.SR. No. 96499 of 2023

S. VAIDYANATHAN,J.

AND

K. RAJASEKAR,J.

The above C.M.P. is filed to condone the delay of 410 days in preferring the writ appeal.

2. We have gone through the grounds of appeal as well as the reasons stated for condoning the delay. We have decided to condone the delay for the purpose of granting the relief in the writ petition and we do not want to reject the writ appeal on the ground of delay.

3. Learned counsel appearing for the respondent has referred to the judgment of this Court in *Ruskim Sea Foods Limited V. Evergreen Sea Foods Pvt. Ltd and Ors.* reported in *MANU/TN/0876/2018*

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how the delay issue has to be dealt with. Learned counsel further submitted that the delay issue may be taken note of while deciding the writ appeal and for the purpose of rendering a finality to the writ appeal, the delay may be condoned, however, without prejudice to the rights of the respondent to address the delay issue in the main case.

4. In view of the submission made by the learned counsel for the respondent, the delay is condoned.

nv

Note to Office: Registry is to number the writ appeal, if it is otherwise in order.)

29.09.2023

(S.V.N.J.) (K.R.S.J.)

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