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*W.M.P.No.25970 of 2021
in W.P.No.7414 of 2014*

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R. SURESH KUMAR, J.

The present miscellaneous petition has been filed to condone the delay of 35 days in filing an application to set aside the order dated 02.08.2021 and restore the above writ petition No.7414 of 2014 and to dispose of the same.

2. Whether the condone delay petition is to be filed and whether the delay can be condoned in filing a restoration petition in a writ proceedings which has been dismissed for default has already engaged this Court, where I had an occasion to consider the said issue in the matter of **"Purushotham Nagar Alaya Paripalana Sabha -Vs- State of Tamil Nadu represented by Secretary, Tourism and Culture and Others"** reported in **2022(3) L.W.656**, where I held that, no such condone delay petition need to be filed in filing a restoration petition to restore the writ petition which was dismissed for default.



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3. Following the said decision, I am inclined to pass the following order in this miscellaneous petition that, since there is no necessity to file any condone delay petition to file a restoration petition to restore the writ petition which was dismissed for default, no order need to be passed in this miscellaneous petition. Therefore, it is directed to be closed. As a sequel, there shall be a direction to the Registry to number the miscellaneous petition seeking for restoration of the writ petition which was already dismissed for default.

31.01.2023

KST

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