



C.M.P.No.18306 of 2023
in W.A.No.SR102218 of 2023



R.MAHADEVAN, J.

AND

MOHAMMED SHAFFIQ, J.

(Order of the court was made by R.MAHADEVAN, J.)

This civil miscellaneous petition has been filed by the petitioners seeking to condone the delay of 1538 days in filing the above appeal.

2. Mr.M.Alagu Gowtham, learned Government Advocate appearing for the petitioners submitted that the impugned order dated 15.04.2019 passed in W.P.No.31665 of 2017 was received on 27.06.2019. Thereafter, due to COVID-19 pandemic situation, all the educational institutions were not fully functioning and hence, the officers concerned were unable to collect the necessary documents. That apart, G.O.Ms.No.151 (ST) Department, dated 09.09.2022, was issued reorganizing the posts of District Educational Officer and District Educational Officer (Elementary) Chengalpattu, pursuant to which, all the necessary documents were segregated and therefore, the delay has occasioned, which is neither wilful nor wanton, but, only due to the reasons stated above. Stating so, the learned counsel sought to condone the delay in filing the appeal.



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R.MAHADEVA
AND
MOHAMMED SHAFFIQ, J.

nsd

3. On the other hand, Ms.Malaiyarasi, learned counsel for the respondent raised objection for condoning the delay in filing the appeal by filing counter affidavit.

4. Heard both sides and perused the affidavit filed in support of this court. Considering the fact that the period, in which, the order came to be passed *i.e.* during COVID-19 pandemic situation, this Court is inclined to condone the delay, but subject to the condition that the petitioners shall pay a sum of Rs.2,000/- in favour of the learned counsel for the respondent, within two weeks from the date of receipt of copy of this order.

5. Upon production of receipt for payment of costs, this civil miscellaneous petition stands ordered.

[R.M.D., J.] [M.S.Q., J.]
03.01.2024

nsd

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

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