



C.M.P.Nos.21351, 21361 & 21354 of 2023 in
W.A.SR.Nos.97934, 97932 & 97933 of 2023

WEB COPY

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THE HON'BLE CHIEF JUSTICE

and

D.BHARATHA CHAKRAVARTHY, J.

Heard Mr.N.L.Rajah, learned Senior Counsel appearing for Ms.Shakila Banu, learned counsel for the applicants and Mr.E.Omprakash, learned Senior Counsel appearing for Mr.B.Natarajan, learned counsel for the non-applicants.

2. These applications are filed for condonation of the delay caused in filing the appeals.

3. According to the learned Senior Counsel appearing for the non-applicants, the non-applicants are being dragged in multifarious litigations for no fault of the non-applicants. The non-applicants are required to face the litigations. On merits also, the applicants do not have any case.

4. The undisputed factual matrix is culled out as under:

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WEB COPY (i) The writ petitions filed by the present non-applicant 1 were disposed of on 14.02.2020. Three appeals were filed against the said common judgment. The three appeals filed by the present applicants were disposed of on 03.03.2021 with the following observations:

“The present appeals can no longer be pursued since the appellants are desirous of carrying review petitions before the writ court. However, it will be open to the appellants to assail the order impugned herein by way of appeal in the event the review petition is not entertained. W.A.Nos.433, 440 & 442 of 2021 are disposed of since they arise out of common order.”

(ii) Thereafter, the present applicants preferred review petitions. The review petitions were dismissed on 09.06.2023. Aggrieved thereby, the present applicants filed writ appeals against the order of review. Sensing that writ appeals against the order of review would not be maintainable, the applicants assailed the original orders passed in the writ petitions again.



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WEB COPY (iii) For the aforesaid reasons, the delay of 1250 days is caused in filing the appeals against the order dated 14.02.2020. It would appear that while disposing of the writ appeals on 03.03.2021, the Division Bench of this Court granted liberty to the applicants to file review petitions and in case the review petitions are dismissed, to file an appeal assailing the order dated 14.02.2020. So it was pursuant to the liberty granted by this Court, the applicants preferred review petitions and now, on dismissal of the review petitions, appeals are preferred against the original orders. The delay caused is on account of the aforesaid facts. The delay as such is technical in nature.

5. The contention of the learned Senior Counsel for the non-applicants, about the merits of the matter, would be considered while the appeals are dealt with on merits.

6. In light of the aforesaid facts, the technical delay caused in filing the appeals is condoned. Accordingly, the present applications stand allowed and are disposed of.



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WEB COPY 7. List the appeals for admission on 16.04.2024.

(S.V.G., CJ.) (D.B.C., J.)
27.03.2024

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