



C.M.P.No.29159 of 2023
IN W.A.No.SR148625 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 petitioner seeking to condone the delay of 596 days in filing the above writ appeal.

2. Heard the learned counsel for the petitioner and also perused the affidavit filed in support of this petition, wherein, it is stated that the petitioner preferred WP. No.29844 of 2016 challenging the order passed by the respondent dismissing him from service. By order dated 03.06.2020 passed by the learned Judge, the said order was modified into one that of punishment of compulsory retirement. Aggrieved by the same, the petitioner intended to file a writ appeal. However, due to meagre means of income, he was unable to mobilise funds to meet out the legal assistance for the same. Thus, there was a delay of 506 days occasioned in filing the appeal, which is neither wilful nor wanton and hence, the same may be condoned.

3. Considering the above reasons, which appear to be *bona fide*, having regard to the huge delay in filing the writ appeal, we are inclined to condone the delay subject to payment of costs of Rs.1,000/- by the petitioner to the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, within a period of two weeks from the date of receipt of copy of this order.



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

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

09.02.2024

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