



C.M.P.(MD).No.3424 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.12.2024

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

C.M.P.(MD).No.3424 of 2024
in
W.A.(MD).SR.No.16533 of 2024

1.The Principal Secretary to the Government,
Home Department, Secretariat,
Fort St.George,
Chennai – 600 009.

2.The Director General of Police,
Chennai – 04.

3.The Deputy Inspector General of Police,
Salem Range,
Salem.

4.The Superintendent of Police,
Dharmapuri District.

5.The Deputy Superintendent of Police,
Kulithalai Range,
Karur District.

... Petitioners/Appellants

Vs.

Y.Suresh Kumar

... Respondent/Respondent



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PRAYER in C.M.P.(MD).No.3424 of 2024: Civil Miscellaneous Petition filed under Section 5 of Limitation Act, praying to condone the delay of 700 days in filing the Writ Appeal against the order dated 10.12.2021 made in W.P.(MD).No.7624 of 2017.

PRAYER in W.A.(MD).SR.No.16533 of 2024: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order, dated 10.12.2021 passed in W.P.(MD).No.7624 of 2017 on the file of this Court and allow this Writ Appeal.

For Petitioners : Mr.S.Shaji Bino
Special Government Pleader
For Respondent : Mr.N.Dilipkumar

ORDER

(Order of the Court was made by M.S.RAMESH,J.)

The present application is filed to condone the delay of 700 days in filing the Writ Appeal against the order passed in W.P.(MD).No.7624 of 2017 dated 10.12.2021.

2. After the order was passed in the Writ Petition on 10.12.2021, the Department claims to have obtained administrative sanction and a legal opinion



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from the Additional Advocate General on 17.03.2022. The legal opinion was forwarded to the Director General of Police only on 17.08.2022 after about five months, which delay has not been properly explained. Even thereafter, the Director General of Police has sent the draft appeal to the Government for approval on 24.02.2023, which was kept under cold storage till 24.01.2024. The inordinate delay for one year during this period has not been explained in the affidavit filed in support of the present petition. As such, we are not inclined to entertain the present application.

3. Accordingly, the Civil Miscellaneous Petition stands dismissed. Consequently, W.A.(MD).SR.No.16533 of 2024 stands rejected.

(M.S.R.,J.) (A.D.M.C.,J.)
02.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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and
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