



C.M.P.(MD).No.8016 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.12.2024

CORAM

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

C.M.P.(MD).No.8016 of 2024  
in  
W.A.(MD).SR.No.39589 of 2024

1.The District Revenue Officer,  
District Collectorate,  
Virudhunagar.

2.The Revenue Divisional Officer,  
Virudhunagar,  
Virudhunagar District.

3.The Tahsildar,  
Taluk Office, Srivilliputhur,  
Virudhunagar District.

4.The District Collector,  
Virudhunagar,  
Virudhunagar District.

... Petitioners/Appellants

Vs.

B.Alagarsamy

... Respondent/Respondent

**PRAYER in C.M.P.(MD).No.8016 of 2024:** Civil Miscellaneous Petition filed under Section 5 of the Limitation Act, praying to condone the delay of 156 days in filing the Writ Appeal against the order passed in W.P.(MD).No.23162 of 2023 dated 08.12.2023.



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**PRAYER in W.A.(MD).SR.No.39589 of 2024:** Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order dated 08.12.2023 in W.P.(MD).No.23162 of 2023 and allow the Writ Appeal on the file of this Court.

For Petitioners : Mr.S.R.A.Ramachandran  
Additional Government Pleader

For Respondent : M/s.B.Asha

### **ORDER**

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

The present application is filed to condone the delay of 156 days in filing the Writ Appeal against the order passed in W.P.(MD).No.23162 of 2023 dated 08.12.2023.

2. The reason assigned for delay in paragraph 17 of the affidavit filed in support of this petition is that after the order was passed in the Writ Petition on 08.12.2023, they had sought for opinion from the higher officials and thereafter, from the office of the Additional Advocate General for filing appeal. Thereafter, it is stated that they had taken steps to collect documents with regard to the properties and due to these reasons, there was a delay of 156 days.



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3. We do not appreciate the manner in which the delay has been explained. Even assuming that an opinion was sought for from the higher officials and from the office of the Additional Advocate General, there can be no justification for such an inordinate delay of 156 days to await for the opinion. The collection of the documents supporting the properties also cannot be the reason for the delay, since those are the official revenue documents, which may be readily available in the Government offices.

4. In our view, the delay has not been properly explained and since 156 days is an inordinate delay, we are not convinced with the reasons assigned in the present petition. Accordingly, this Civil Miscellaneous Petition stands dismissed. Consequently, W.A.(MD).SR.No.39589 of 2024 stands rejected.

**(M.S.R.,J.) (A.D.M.C.,J.)**  
**19.12.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
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**M.S.RAMESH,J.**  
**and**  
**A.D.MARIA CLETE,J.**

Lm

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in  
W.A.(MD).SR.No.39589 of 2024

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