



W.M.P.(MD).No.14366 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.M.P.(MD).No.14366 of 2023

in

REV.APLW(MD)SR.No.47737 of 2023

The Management of
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Trichy Region,
Rep. by its General Manager,
Trichy.

... Petitioner / Petitioner

Vs.

N.Kannapiran

... Respondent/Respondent

PRAYER in W.M.P.(MD).No.14366 of 2023: Writ Miscellaneous Petition filed under Section 5 of the Limitation Act, to condone the delay of 472 days in filing the review application to review the order passed in W.P.(MD).No.26022 of 2019.

PRAYER in REV.APLW(MD)SR.No.47737 of 2023: Review Application filed under Order 47 Rule 1 of Civil Procedure Code r/w Section 114 of Civil Procedure Code, to review the order passed in W.P.(MD).No.26022 of 2019 dated 30.01.2020 and dismiss the said Writ Petition.



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For Petitioner : Mr.S.C.Herold Singh

ORDER

The learned counsel, Mr.D.Siva Raman, who had appeared for the review petitioner at the time of filing the review application, would state that he has given a change of vakalat. Mr.S.C.Herold Singh, learned counsel, takes notice on behalf of the Transport Corporation.

2. The delay of 472 days in filing the review application is sought to be condoned in the present petition.

3. Final order was passed in the Writ Petition on 30.01.2020, which was delivered to the counsel for the Transport Corporation on 24.02.2020. After more than 3 years, the present review application has been filed. However, in view of the orders of the Hon'ble Supreme Court, to exclude the period between 25.03.2020 and 28.02.2022 in view of COVID-19 pandemic situation, the delay has been arrived at 472 days.

4. After 28.02.2022, the only reason assigned for delay in the present



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petition is that the review papers were placed before the Finance Committee and after the approval, the review application was filed on 28.06.2023. There is a huge delay of more than 1 year and 4 months, which is claimed as administrative reason. I am unable to accept the reason assigned for the inordinate delay of this one year period, which has not been properly explained. As such, the petition seeking for condonation of delay stands dismissed. Consequently, REV.APLW(MD)SR.No.47737 of 2023 is rejected.

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Index : Yes / No
Internet : Yes / No
Lm



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M.S.RAMESH, J.

Lm

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