



CMP(MD) No.15586 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)**

Monday, the First day of July Two Thousand and Twenty Four

PRESENT

**The Hon`ble Mr.Justice R.SURESH KUMAR
and
The Hon`ble Mr.Justice G. ARUL MURUGAN**

**CMP(MD) No.15586 of 2023
in
WA(MD)SR.No. 80082 of 2023**

D.CHANDRAN

... PETITIONER/ APPELLANT

Vs

**1 THE MANAGEMENT
THE TAMILNADU CONSUMERS COOPERATIVE FEDERATION LIMITED,
THROUGH ITS SPECIAL OFFICER,
CHENNAI.**

**2 THE PRESIDING OFFICER
LABOUR COURT,
MADURAI.**

... RESPONDENTS/RESPONDENTS

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 512 days in filing this Writ Appeal against the order of this Honourable Court dated 26.04.2022 in WP(MD) No.9279 of 2013.



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PRAYER IN WA(MD)SR.No. 80082 of 2023:

To set aside the order in WP(MD)No. 9279 OF 2013 DATED 26.04.2022 on the file of this Hon'ble High court.

Prayer in WP(MD). 9279/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari Mandamus, to call for the records relating to the Award passed in C.P. No.136/2005 dated 30.04.2011 to the Labour Court, Madurai, the second respondent herein and quash the same and consequently direct the first respondent to pay the arrears of salary to the petitioner applicable to the post of Typist, as calculated in the Claim Petition.

ORDER : This Civil Miscellaneous Petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.A. JEYARAM, Advocate for the petitioner and of MR.M.S.SURESH KUMAR, Advocate on behalf of the 1st Respondent, the court made the following order:-

(Order of the Court was made by R.SURESH KUMAR, J.)

This petition is filed to condone the delay of 512 days in filing the W.A.[MD] SR.No.80082 of 2023.

2.Heard the learned Counsel for the petitioner and Mr.M.S.Suresh Kumar,



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learned Counsel appearing for the first respondent.

3.The delay is 512 days, which is more than one year. Though some reasons have been stated by the petitioner for condoning the delay, learned Counsel appearing for the first respondent vehemently opposed it and stated that, such huge delay of 512 days cannot be condoned.

4.Having regard to the submissions made by both sides, we feel that, if at all the delay is to be condoned, it can be allowed only on terms.

5.Accordingly, this Civil Miscellaneous Petition is allowed on condition that the petitioner shall pay a sum of Rs.3000/- [Rupees Three Thousand only] as cost to the first respondent and the said cost shall be paid to the first respondent through the learned Counsel for the first respondent.

sd/-
01/07/2024

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/07/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MR



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TO

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THROUGH ITS SPECIAL OFFICER,
CHENNAI.
- 2 THE PRESIDING OFFICER
LABOUR COURT,
MADURAI.

ORDER
IN
CMP(MD) No.15586 of 2023
in
WA(MD)SR.No. 80082 of 2023
Date :01/07/2024

PKP/VR/SAR /09.07.2024/ 4P/ 3C
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