



C.M.P.[MD]No.15291 of 2023

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

Tuesday, the Second day of April Two Thousand and Twenty Four

PRESENT

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

C.M.P.[MD]No.15291 of 2023
in
W.A.[MD]SR.No.80547 of 2023

1 THE MANAGEMENT OF TAMILNADU
STATE TRANSPORT CORPORATION, (MADURAI) LIMITED,
REPRESENTED BY ITS MANAGING DIRECTOR,
BYE PASS ROAD,
MADURAI -16.

2.THE MANAGEMENT OF TAMIL NADU STATE TRANSPORT
CORPORATION (MADURAI)LIMITED,
MADURAI REGION,
REPRESENTED BY ITS GENERAL MANAGER,
BYE PASS ROAD, MADURAI-10 ...PETITIONERS/ APPELLANTS

Vs

R.KANNAN ... RESPONDENT/RESPONDENT

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 395 days in filling this Writ Appeal and thus render justice.



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PRAYER IN W.A.[MD]SR.No.80547 of 2023:

To allow this writ appeal by setting aside the orders passed by the learned Judge in Writ Petition(MD)No.2070 of 2013 dated 30.08.2022.

Prayer in WP(MD). 2070/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, to call for the records in connection with the impugned order in Ref. Tha. Aa.Poa. Ka/MaThu/NeeRu/Aa4/2117/2005-24 dated 1.9.2005 which is issued by the 2nd respondent, quash the same, consequently directing the Respondents to confirm the petitioner s service with effect from, on the completion of the 240 days of the petitioners actual service, with all service and statutory benefits, award cost and thus render justice.

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.S.C.HEROLD SINGH, Advocate for the petitioners and of MR.P.GANAPATHY SUBRAMANIAN, Advocate on behalf of the 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 395 days in filing the W.A.[MD] SR.No.80547 of 2023.

2.Heard both sides.

3.The reasons stated by the petitioners for such huge delay are that, in order to get approval from the Board and to get legal opinion from the learned Standing



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Counsel to prefer the appeal. It is submitted that only because of the aforesaid two reasons, there has been a huge delay of more than a year.

4.Since the delay of 395 days is huge, for which these two reasons cannot be accepted, we feel that this petition, if at all to be allowed, is to be allowed on terms.

5.Accordingly, this Civil Miscellaneous Petition is allowed on condition that the petitioners shall pay a sum of Rs.5000/- [Rupees Five Thousand only] as cost to the respondent.

sd/-
02/04/2024

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/04/2024
Sub-Assistant Registrar (CS -I/ II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MR

TO

1 THE MANAGING DIRECTOR,
MANAGEMENT OF TAMILNADU
STATE TRANSPORT CORPORATION, (MADURAI) LIMITED,
BYE PASS ROAD,
MADURAI -16.



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2.THE GENERAL MANAGER,
MANAGEMENT OF TAMIL NADU STATE TRANSPORT
CORPORATION (MADURAI)LIMITED,
MADURAI REGION,
BYE PASS ROAD, MADURAI-10

ORDER
IN
C.M.P.[MD]No.15291 of 2023
in
W.A.[MD]SR.No.80547 of 2023
Date :02/04/2024

RK/VR (10/04/2024) 4P / 3C

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