



WEB COPY

CMP NO. 9807 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-11-2025

CORAM

THE HONOURABLE MR JUSTICE M.S. RAMESH

AND

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

C.M.P.No. 9807 of 2025

in W.A.SR.No.32953 of 2025

P.Loganathan (died)

1.Susila

W/o. Late P.Loganathan

2.L.Thangaraj

S/o. Late P.Loganathan

3.Bharathi

D/o. Late P.Loganathan

Appellant(s)

Vs.

1. The Presiding Officer
Labour Court, Cuddalore.

2. The Managment/Chief Engineer, TNEB
Distribution, Villupuram.

3. The Superintending Engineer
Villupuram Electricity Distribution Circle, Viilupuram

Respondent(s)

For Petitioner(s): Mr.S.N.Ravichandran

For Respondent(s): M/s. P. Subramaniam for R2 & R3
R1 - Labout Court



ORDER



M.S.RAMESH, J.
and
R.SAKTHIVEL, J.

The order in the Writ Petition which is under challenge was passed on 22.07.2021, holding that the employee would be entitled to the terminal and pensionary benefits. Pending the Contempt Petition, the family pension was sanctioned to the legal heirs on 19.09.2022. Thereafter, on 21.10.2022, the family pension was withdrawn. In this background, the legal heirs had sought for a clarification before the Writ Court in W.M.P.No.447 of 2025 in W.P.No.28549 of 2014, which was rejected stating that there is no ambiguity in the order passed by this Writ Court on 22.07.2021. It is in this background, the legal heirs had challenged the order passed in the Writ Petition, and in the present petition they seek for condonation of delay of 1283 days in filing the above Writ Appeal.

2.From the narration of the facts and the dates and events referred above, we find that there was a reasonable cause for the petitioners / appellants to have belatedly filed this appeal. In our view, the delay has been properly explained.

3.Mr.P.Subramani, the learned counsel appearing for the respondents 2 and 3, placed reliance on the averments made in the counter affidavit. None of the avertments therein touch upon the delay in filing the Writ Appeal, but rather addresses only the merits of the case, which is immaterial for the purpose of this miscellaneous petition.

4.In the result, the delay of 1283 days in filing the above Writ Appeal stands condoned.



(M.S.RAMESH J.) (R.SAKTHIVEL J.)

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Note: Registry is directed to number the main Writ Appeal, if the papers are otherwise in order.