



WEB COPY

CMP No.8504 of 2023
in WA SR No.21747 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-06-2025

CORAM

**THE HONOURABLE MR JUSTICE R. SUBRAMANIAN
AND
THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN
THILAKAVADI**

**CMP No.8504 of 2023
in WA SR No.21747 of 2023**

1. The Secretary To Government Of
Tamil Nadu
Home Department, Fort St.George,
Chennai 600 009.

2. The Commissioner of Police
Greater Chennai Police,
Chennai 600 007.

Petitioner(s)

Vs

1. R.Gopalsamy
S/o. Ramadoss, Door No 32, New
TNPHC Police quarters, Pudupet,
Chennai 2.

2.Ayyappan
Inspector of Police (AR), North Zone,
Chennai 16.

Respondent(s)



PRAYER

To condone the delay of 1358 days in filing the above Writ Appeal against the order dated 10.01.2019 made in WP No.18790 of 2014.

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For Petitioner(s): Mr.S.Yashwant
Additional Government Pleader

For Respondent(s): Mr.M.S.Soundara Rajan for R1

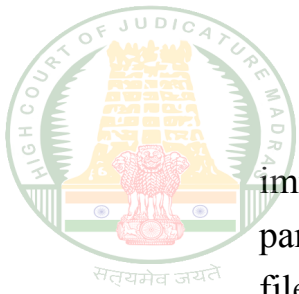
ORDER

(Order of the Court was made by R.Subramanian J.)

A huge delay of 1358 days is sought to be condoned, on the strength of the following reasons:-

“4. It is submitted that the copy of the order dated 10.01.2019 in W.P.No.18790 of 2014 was received in the office of the 2nd petitioner/appellant herein only on 27.09.2019 and due to administrative reason and other procedures, they were not able to trace out certain old files and service records.

5. Subsequently, the 1st petitioner/appellant in their letter dated 19.03.2021 have instructed to file writ appeal against the order dated 10.01.2019 made in W.P.No.18790 of 2014 and the same was forwarded to the 2nd petitioner/appellant on 29.03.2021. Accordingly, necessary affidavit have been prepared in consultation with Government Pleader, High Court of Madras and sent it to the Office of the Director General of Police, Tamil Nadu on 30.06.2021 to get approval from the Government and the same was sent to Government via the Office of the Director General of Police, Tamil Nadu on 09.08.2021. Further it is submitted that the approval of affidavit have been obtained from Government on 13.10.2021 and the same received from the office of the Director General of Police, Tamil Nadu on 22.10.2021 and the appeal has been made ready



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immediately for filing. It is further submitted that due to the pandemic situation and consequent lockdown, it is not able to file writ appeal immediately. In the meantime, delay has occurred in filing the appeal. There is a delay of 1358 days in filing Writ Appeal.”

2. The above reasons are hardly sufficient to condone such long delay. Admittedly, the copy of the order was received on 27.09.2019 and the appeal came to be filed on 13.03.2023. The Hon'ble Supreme Court has time and again pointed out that the delay should be explained properly and condonation of delay is not a matter of right. We have extracted the reasons assigned and these reasons, in our considered opinion, are wholly insufficient to condone the delay of 1358 days. Hence, the civil miscellaneous petition is dismissed. W.A.SR.No.21747 of 2023 stands rejected.

(R.SUBRAMANIAN J.) (K.GOVINDARAJAN THILAKAVADI J.)
09-06-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

SS



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