



C.M.P.No.7008 of 2025
in
W.A.SR.No.43889 of 2025



S.M.SUBRAMANIAM,J.

AND

K.RAJASEKAR,J.

(Order of the court was made by ***S.M.SUBRAMANIAM, J.***)

The learned Additional Advocate General appearing on behalf of the petitioner / appellant would submit that the property in question belongs to Chennai Corporation and the subject property has been under encroachment and actions were initiated. It is further contended that contempt petition in Cont.P.No.233 of 2025 has been filed by the respondents.

2. Taking note of the fact that notice served to other side and the learned Counsel representing the respondents raised an objection that the delay is enormous and the petition is to be dismissed.

3. However, we find that there is a reason to consider the delay petition, since the public building has been involved in the present case. On certain circumstances, delay of the Authorities in respect of public properties cannot be allowed to be defeated and under these circumstances, the Authorities who have committed lapses or negligence in filing appeal in time must be held accountable and suitable actions are to be initiated. Contrarily, the public interest cannot be dispensed with on certain technical grounds and more specifically, on the ground of delay.



AN
K.RAJASEKAR.



4. Since the reasons stated in the accompanying affidavit filed in support of the petition is also acceptable, delay stands condoned and this Miscellaneous Petition is ordered.

5. Registry is directed to number the writ appeal and post the matter for admission on 21.03.2025.

[S.M.S., J.] [K.R.S., J.]
20.03.2025

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