



CMP No. 14063 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-04-2025

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**THE HONOURABLE MR JUSTICE R. SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

CMP No. 14063 of 2023

in

W.A.Sr.No. 52798 of 2023

P. Lalitha
W/o. P. Dhanapathi, 61/20A,
Thanthoniammman Koil Main Street,
Villivakkam Chennai - 49.

Appellant(s)

Vs

V. Dayalan
S/o. Vellai, Junior Engineer, Tamil
Nadu Slum Clearance Board, Chennai -
600 005.

Respondent(s)

PRAYER

to condone the delay of 1928 days in filing the present writ appeal and pass such further or other orders as this Hon'ble Court may deem fit considering the facts and circumstances of the present case and thus render justice



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For Appellant(s): Mr.Richardson Wilson For The Appellant.

For Respondent(s): Mr.G.Ravisankar For Rr1.
Ms.G.Thilagavathi, Standing
Counsel Assisted By Mr.B.Balaji
For R6.

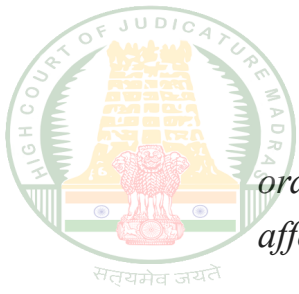
ORDER

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

Though the delay is long, we find a proper justification has been made. The petitioner was not made party to the writ petition in the order, in which, is sought to be challenged in the appeal.

2. Mr.G.Ravisankar, learned counsel appearing for the 1st respondent would submit that the petitioner was aware of the proceedings even in the year 2019. The petitioner in paragraph 13 & 14 of the affidavit filed in support of this petition stated as follows:

"13. I submit that, a board resolution was passed by Tama Nadu Slum Clearance Board vide proceedings of the Managing Director in Proc. No.J2/3896/2011 dated 01.11.2019 and as per the resolution, I was temporarily promoted to the post of Assistant Executive Engineer from Junior Engineer, in the turn reserved earlier and subject to the outcome of the WA No.3/2018 and W.A. No. 650/2019. I state that I came to know of the pending writ appeal only after enquiry in the department about the Writ Petition in W.P.No.36963 of 2015 and Writ Appeals and it is only thereafter that I came to realise that I am directly affected by the impugned

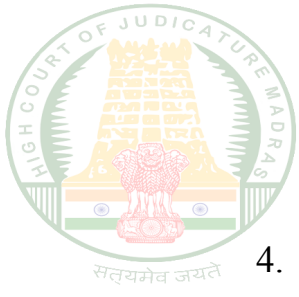


order passed in WP No. 36963 of 2015 since my seniority has been affected and I have not even been made as a party respondent.

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14. I humbly submit that I have been made to run from pillar to post to get information and papers about the pending litigations between Junior Engineers and Surveyors pertaining to the fixation of seniority and only now after obtaining the necessary papers I am filing the present Writ Appeal. I further state that I have been directly affected by the judgement in the Writ petition as it has affected my seniority and consequently affected my promotion, and I am a necessary party to the present litigation since the Respondents 1-4 are attempting to march over me in seniority and hence I am filing the present Writ Appeal though I was not a party in the original writ petition. I crave leave of the Hon'ble Court to treat the grounds of appeal filed along with this affidavit as a part and parcel of this affidavit."

3. Yet another circumstance, which impel us to condone the delay is the fact that the appeal filed by the Board, challenging the order in the writ petition is pending in W.A.No.650 of 2019 and the order of the writ Court sought to be challenged in this appeal is also subject matter of another appeal in W.A.No.3 of 2018. Thus, it is clear that the question that has been decided in this writ petition is still at large. Hence, we see no prejudice be caused to the respondents by condoning the delay. This petition is therefore, ordered, the delay in filing the appeal is condoned.



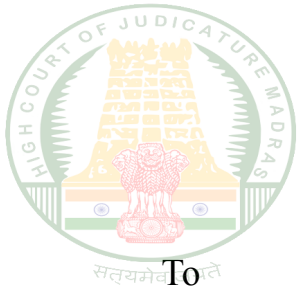
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4. Registry is directed to number this appeal and list it along with
W.A.No.3 of 2018 and 650 of 2019.

(R.S.M., J.) (G.A.M., J.)
09-04-2025

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1.V. Dayalan

S/o. Vellai, Junior Engineer, Tamil
Nadu Slum Clearance Board, Chennai -
600 005.

2.P. Murugan

S/o. S. Pazhamalai, Junior Engineer,
Tamil Nadu Slum Clearance Board,
Chennai - 600 005.

3.R. Loganathan

S/o. G. Rangaiah, Junior Engineer,
Tamil Nadu Slum Clearance Board,
Chennai - 600 005.

4.P. Muruganandham

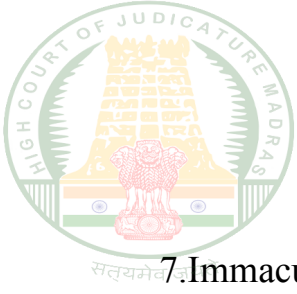
S/o. Pichaipillai, Junior Engineer, Tamil
Nadu Slum Clearance Board, Chennai -
600 005.

5.The Secretary

to Government of Tamil Nadu, Housing
and Urban Development, Fort St.
George, Chennai-09.

6.The Chairman

Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai, Chempauk,
Chennai-05.



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7.Immaculage Rajeswari,

Junior Engineer, Division IV, Office of
the Tamil Nadu Slum Clearance Board,
Chennai-05.

8.Revathy,

Junior Engineer, Division IV, Office of
the Tamil Nadu Slum Clearance Board,
Chennai-05.

9.Chinnamani,

Junior Engineer, Division IV, Office of
the Tamil Nadu Slum Clearance Board,
Chennai-05.



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