



WEB COPY

CMP NO. 4653 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **20-03-2025**

CORAM

**THE HONOURABLE DR JUSTICE ANITA SUMANTH**

**AND**

**THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**CMP NO. 4653 of 2025**

**AND**

**OSA SR NO. 61895 OF 2024**

B. Santi

W/o. M.Edwin Thankaraj, residing at No.43, 1st Street, B.V.Puram,  
Avadi, Chennai-600 054. and another

Appellant(s)

Vs

The Director

Combat Vehicle Research and Development Estt. Govt.of India,  
Ministry of Defense, Research and Development Organization,  
Avadi, Chennai-600 054 and another

Respondent(s)

**OSA SR NO. 61895 of 2024**

B. Santi

Appellant(s)

Vs

The Director

Combat Vehicle Research and Development Estt. Govt.of India,  
Ministry of Defense, Research and Development Organization,  
Avadi, Chennai-600 054 and another

Respondent(s)

**CMP NO. 4653 of 2025**

**For Appellant(s):**

Mr. G. Krishnamurthy

**For Respondent(s):**

M/s Karthikeyan, For R1.

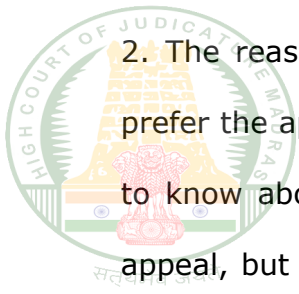
M/s A. Arulmozhi, for R2.

**OSA SR NO. 61895 of 2024**

**ORDER**

*(Order of the Court was made by C.Kumarappan J.)*

The instant miscellaneous petition has been filed to condone the delay of 660 days in filing the



2. The reasons assigned for the condonation is that the previous counsel who I to prefer the appeal has failed to file, and that on the receipt of the letter from department came to know about the non-filing of the appeal, and engaged the present counsel and filed this appeal, but with the delay. It is also contended that, the second petitioner being a minor girl child, her interest also needs to be protected. Hence learned counsel prays to allow the petition.

3. Per contra, learned counsel for second respondent would strongly object the grounds raised in the petition is not reflecting correct factual position. Hence prays to dismiss the petition.

4. We have given our anxious consideration to the submissions of either side. What the petitioner wants is an adjudication on merits. The reasons assigned by the petitioner is that his previous counsel has not filed the appeal within time and, therefore, for the fault on the part of his counsel, the petitioner should not be penalized. Apart from that, the second petitioner, being a minor girl child, her interest has also to be protected.

5. In view of the above reasons, we deem it appropriate to condone the delay and C.M.P.No. 4653 of 2025 is allowed. Registry to number the appeal and list the same for admission, if it is otherwise in order.

**(ANITA SUMANTH J.) (C.KUMARAPPAN J.)**  
**20-03-2025**

ssm

**CMP NO. 4653 of 2025**

To

1. The Director  
Combat Vehicle Research and Development Estt. Govt.of India, Ministry of  
Defense, Research and Development Organization, Avadi, Chennai-600  
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2. M.Chandrabai  
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