



C.M.P.No.22794 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2025

C O R A M

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

C.M.P.No.22794 of 2025

in

Rev.Appl. Sr. No.119172 of 2025

M.Alphonsal

... Petitioner

-VS-

1.The Director of School Education,
College Road, Nungambakkam,
Chennai – 6.

2.The Chief Education Officer,
Nagercoil, Kanyakumari District.

3.The District Educational Officer,
Thuckalay, Kanyakumari District.

4.The Correspondent,
St. Francis Xavier Higher Secondary School,
Manguzhy, Neyyoor – 629 802,
Kanyakumari District.

... Respondents

Prayer: Petition filed under Section 5 of the Limitation Act praying to condone the delay of 338 days in filing the review petition in the Writ Appeal No.2172 of 2021 dated 12.07.2024.



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For Petitioner : Mrs.C.Auxilai Peter

For Respondents : Mr.J.C.Durairaj
Addl. Govt. Pleader (Education)
for R1 to R3

ORDER

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

The Miscellaneous Petition has been filed to condone the delay of 338 days in filing the Review Application.

2. The only reason stated in the affidavit filed in support of the Miscellaneous Petition is that the learned counsel who appeared for the review petitioner in the Writ Appeal has not communicated the copy of the Writ Appeal order and the petitioner is residing in Kanyakumari District, therefore she was not in a position to file the review proceedings in time.

3. Such a reason stated is neither candid nor convincing. The law of Limitation is substantive. The Rule is to file an appeal in time. Condonation of delay is an exception. Un-condonable delay cannot be condoned by the Court in a routine manner. Enormous delay, if condoned, may result in causing prejudice to the other party. Therefore, in the absence of any valid and acceptable reasons, long delay will not be condoned by the Courts.



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4. The learned counsel made an attempt to adjudicate the issues on merits, which is impermissible even in case the Review Application is taken up. In the present case, the reason for delay since unacceptable this Court is not inclined to condone the delay.

5. Accordingly, this Civil Miscellaneous Petition is **dismissed** and the Review Application is rejected in SR stage. No costs.

(S.M.S,J.,) (C.K,J.,)
12.12.2025

Index: Yes / No
Internet: Yes / No
dsa



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