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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI**WMP No. 29411 of 2023****IN****WP NO. 6877 OF 2017**

1. The Joint Managing Director,
The Tamilnadu Co-op Milk Producers
Federation Ltd., Ambattur, Chennai 600
098

2. The General Manager,
(Marketing), The Tamil Nadu Co-op
Milk Producers Federation Ltd., No.2,
Pasumpon Muthuramalingam Salai,
Nandhanam, Chennai 600 035

Petitioner(s)

Vs

1. Joint Commissioner of Labour,
(Appellate Authority under the Payment
of Gratuity Act, 1972), Teynampet,
Chennai 600 006

2.L.Anthony Joseph,
No.253-A, M.D.H. Road, B-213, Asian
Gardents, Villivakkam, Chennai 600
049

Respondent(s)

**PRAYER**

to condone the delay of 26 days in filling the restoration application in Writ Petition No. 6877 of 2017 order dated 01.08.2023.

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For Petitioner(s): V.Rajinikanth

For Respondent(s): Mr.P.Anbarasan For R2
Mr. K. Surendren, AGP for R1

ORDER

This petition has been filed to condone the delay of 26 days in days in filing the petition, seeking to restore the Writ Petition by setting aside the order dated 01.08.2023.

2. This Court, vide order, dated 01.08.2023, taking note of the fact that there was no representation on earlier occasion, i.e. 26.07.2023 and also on 01.08.2023 despite the matter was listed under the caption 'for dismissal', dismissed the Writ Petition for non-prosecution.

3. Now the petitioner has come forward with the present petition seeking to set aside the order dated 01.08.2023 and to restore the Writ Petition.

4. According to the petitioner, their counsel on record, had been help



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before some other Court on 26.07.2023 and thereby, they could not get along with the matter. Hence, the non-appearance of either petitioner or his counsel on 01.08.2023 was neither intentional nor deliberate. However, it is pertinent to note that this Court has given an opportunity after recording no appearance on 26.07.2023 and directed the matter to be listed under the caption for dismissal on 01.08.2023, but on the said date also, there was no representation and hence, dismissed the Writ Petition for non-prosecution. The petitioner owes a duty to be vigilant of his own rights and is expected to be equally alert about the judicial proceedings pending in the Court initiated at his instance and he should not be permitted to throw the entire blame on the head of the Advocate and thereby disown him at any time and seek relief. Therefore, this Court is of the view that the petitioner has not demonstrated a sufficient reason for the delay in order to entertain the present petition.

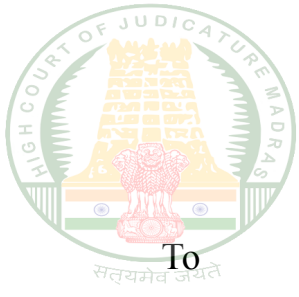
5. Accordingly, this petition is dismissed. No costs.

08-04-2025

Internet: Yes

Neutral Citation: Yes/No

RAP



To

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Joint Commissioner of Labour,
(Appellate Authority under the Payment
of Gratuity Act, 1972), Teynampet,
Chennai 600 006



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M.DHANDAPANI J.

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RAP

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IN WP NO. 6877 OF
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