



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **23-01-2025**

CORAM

THE HONOURABLE MR JUSTICE S. S. SUNDAR

AND

THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CMP NO. 23233 of 2024

Government of Tamil Nadu
Rep. By Its Principal Secretary Animal
Husbandry And Fisheries Department
Secretariat Chennai 009 and 3 Others

Appellants

Vs

T.Narasimman @ Narasimmalu
S/o.T.Govinda Naidu, Animal Husbandry
Assistant, No.44, Gangai Amman Koil Street,
Nediyam Village, Pallipattu Tk, Thiruvallur
Dist. and another

Respondents

For Appellant: Mr. P.Kumaresan, AAG
Assisted by Mr.S.Yashwanth, AGP

For Respondent: Mr.L.Dhamodaran

ORDER

(Order of the Court was made by the Hon'ble S.S.Sundar J.)

This Petition is filed to condone the delay of 393 days in filing this review application. In the affidavit filed in support of the petition, the petitioner has stated that as against the order of this Court, a Special



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Leave Petition was filed before the Hon'ble Supreme Court in SLP.No.

26357 of 2024 and that the Hon'ble Supreme Court by order dated

12.08.2024 dismissed the said SLP on the ground of 'inordinate delay' .

Only in this back drop, the present review application has been filed with delay of 393 days in filing this review application.

2. When the Hon'ble Supreme Court dismissed the SLP on the ground of delay and the Hon'ble Supreme Court found no reasons to condone the delay in filing Special Leave Petition, this Court is not supposed to exercise its discretion to condone the delay in filing a review application which includes the delay in filing Special Leave Petition.

3. The petitioner, who is expected to state reasons before the Hon'ble Supreme Court, failed to convince the Hon'ble Supreme Court on the question of delay. A few months later, the petitioner has now filed this review application with further delay.

4. Though the learned Additional Advocate General relied upon the judgment of the Hon'ble Supreme Court in the case of *State of*



Uttar Pradesh & another Vs Virendra Bahadur Katheria and others

reported in 2024 SCC Online SC 1712, where the Hon'ble Supreme

Court observed that the Court should be lenient when the matters relates to affairs of the State involving public interest. The Hon'ble Supreme Court dismissed the SLP earlier filed by the petitioner as against the very same order on the ground of delay, this Court cannot be expected to take a different view to condone the delay, merely because there are reasons for the subsequent period viz., the period during which the petitioner was prosecuting the SLP before the Hon'ble Supreme Court.

5. On principle this Court is unable to take a view which would go directly against the spirit of the order of the Hon'ble Supreme Court as against the very same order.

6. In view of the above, the Miscellaneous Petition is dismissed. No costs. Consequently, the review application is dismissed at the SR stage.

(S.S.SUNDAR J.) (MOHAMMED SHAFFIQ J.)
23-01-2025

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