



WEB COPY



C.M.P.No.25120 of 2025 in
W.A.Sr.No.162599 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2025

CORAM :

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

C.M.P.No.25120 of 2025 in W.A.Sr.No.162599 of 2025

1. The Government of Tamil Nadu
Rep. by its Secretary
Department of Highways, Secretariat
Chennai – 600 005.
 2. The District Collector
Kancheepuram, Kancheepuram District.
 3. The Special Tahsildar (Land Acquisition)
Oragadam Industrial Road (Infrastructure)
Sriperumbudur, Kancheepuram. .. Petitioners
- Vs.
- G.Sethuraman .. Respondent

Prayer: Petition filed under Section 5 of the Limitation Act, to condone the delay of 1166 days in filing the writ appeal against the order dated 30.06.2022 made in W.P.No.27931 of 2017.

For the Petitioners : Mr.R.Raman Laal
Additional Advocate General
assisted by Mr.A.Selvendran
Special Government Pleader

For the Respondent : Mr.M.Rajasekar

ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)
This petition is filed to condone the delay of 1166 days in filing
the writ appeal.



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2. Heard *Mr.R.Raman Laal*, learned Additional Advocate General, assisted by *Mr.A.Selvendran*, learned Special Government Pleader for the petitioners and *Mr.M.Rajasekar*, learned counsel for the respondent.

3. Though the delay is huge, that is 1166 days, in filing this appeal, the reasons adused in the affidavit filed in support of this petition, especially in paragraph 14, whereby, it has been explained as to why this delay has occurred.

4. In fact, as against the order dated 30.06.2022, though the writ appeal has been filed belatedly, now, in the meanwhile, as directed by the learned Writ Court, the representation submitted by the respondent/writ petitioner, having been considered, was rejected by the order dated 30.05.2023.

5. That order has become final, as against which, no legal proceedings were initiated in the manner known to law. Be that as it may, it is the case of the respondent/writ petitioner that, subsequently, by the proceedings dated 27.05.2024, patta has been issued in favour of the respondent/writ petitioner for the subject land itself. When that being so, whether the respondent/writ



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petitioner is entitled to get compensation, provided if the land has not been acquired or taken over for the purpose of public purpose, is the question altogether to be decided in the main writ appeal.

6. In that view of the matter, though the delay is huge, we are inclined to condone the delay, of course on cost, because, some prejudice definitely would have been caused to the respondent/writ petitioner. Hence, this petition is ordered on payment of cost of Rs.5,000/-, payable by the present petitioners/appellants to the respondent/writ petitioner through the learned counsel appearing for the respondent/writ petitioner within a period of two weeks from the date of receipt of a copy of this order.

7. On such condition, this petition is ordered. Registry is directed to number the writ appeal, if it is otherwise in order, and post for admission after verifying if the compliance order is complied with. In the meanwhile no coercive steps, pursuant to the impugned order in the main writ appeal, be taken against the respondent/writ petitioner.

(R.S.K., J.) (H.C., J.)
29.10.2025

(drm)



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R. SURESH KUMAR, J.
AND
HEMANT CHANDANGOUDAR, J.
(drm)

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