



WEB COPY



C.M.P.No.30771 of 2025
in W.A.Sr.No.165742 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2025

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THE HON'BLE MR. JUSTICE M.S.RAMESH

AND

THE HON'BLE MR. JUSTICE R.SAKTHIVEL

C.M.P.No.30771 of 2025
in W.A.Sr.No.165742 of 2025

The Management
Salem District Consumer's Co-operative
Wholesale Store Limited,
Seetharam Road,
Salem – 9.

...Petitioner

Vs.

1.The Presiding Officer,
Labour Court, Salem.

2.The Liquidation Officer,
S.726, Idappady Co-operative Store Ltd.,
Officer of the Deputy Registrar of Co-operative Societies,
Omalur Circle, Omalur.

3.L.Sivasankaran

...Respondents

Prayer:- The Civil Miscellaneous Petition filed under Section 5 of Limitation Act, pleaded to condone the delay 2228 days in filing the Writ Appeal against the order dated 08.08.2019 passed in W.P.No.9070 of 2003

For Petitioner : Mr.R.Balaramesh
For Respondents : R1 – Labour Court



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ORDER

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

In the order in W.P.Nos.9070 of 2003 and 26809 of 2014 filed by the Society, the petitioner was represented by a counsel. After the Writ Petitions were dismissed, based on the award passed in I.D.No.353 of 1999 dated 08.07.2002, the third respondent / workman had also filed a Computation Petition in the year 2023 in C.P.No.16 of 2023 by an order dated 04.01.2025, the Computation Petition was allowed, by computing the arrears at Rs.65,76,502/-, along with 6% interest.

2.In the present application, the society seeks to condone the delay of 2228 days in filing the Writ Appeal as against the order passed in W.P.Nos.9070 of 2003 and 26809 of 2014 dated 08.08.2019. The only reason assigned in the affidavit filed in support of the present petition for the delay is that “immediately on knowledge about the above said order”, the Joint Registrar of the Society claims to have made enquiries about the Writ Petitions and was informed about its dismissal on 08.08.2019. Apart from this, no other reason has been assigned in the affidavit for the inordinate delay of more than six years. We fail to understand as to how the Society can claim ignorance of the order passed in the Writ Petitions, when they were duly represented by a counsel before the Writ Court.



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3. Apart from this, when a Computation Petition was filed in the year 2023 also, the Society has not taken any effective steps to challenge the order passed in the Writ Petition. In the absence of any other reason apart from claiming ignorance of the Writ order which is unsustainable.

4. We do not find any valid grounds to consider the prayer sought for in this petition. More particularly, when the delay is inordinate and unexplained. Hence, the Civil Miscellaneous Petition stands dismissed.

[M.S.R., J.]

[R.S.V., J.]

09.12.2025

Index: Yes/No

Speaking Order: Yes/No

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M.S.RAMESH, J.

and

R.SAKTHIVEL, J.

To:-

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