



C.M.P.(MD)No.1850 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 25.03.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

C.M.P.(MD)No.1850 of 2025
and
W.A.(MD)No.SR 7888 of 2025

1.State of Tamil Nadu,
Rep.by its Secretary to Government,
Co-operation Food and Consumer Protection Department,
Secretariat, Chennai-9.

2.The Registrar of Cooperative Societies,
170, Periyar EVR High Road,
Kilpauk, Chennai-10.

3.The Deputy Registrar of Cooperative Society,
Tirunelveli Circle, Perumalpuram,
Tirunelveli.

...Petitioner

Vs

S.P.Sudalaimuthu Pandian

...Respondent

PRAYER in C.M.P.(MD)No.1850 of 2025: Petition-filed Under Clause 5 of the Limitation Act, to condone the delay of 760 days in filing the writ appeal as against order passed in W.P.(MD)No.1066 of 2018 dated 29.11.2022.

Prayer in W.A.(MD)No.SR 7888 of 2025:Writ Appeal- filed under Clause 15 of the Letters Patent Act, to set aside the order in W.P.(MD)No.1066 of 2018 dated 29.11.2022.



WEB COPY



C.M.P.(MD)No.1850 of 2025

For Appellant : Mrs.D.Farjana Ghoushia
Special Government Pleader
For Respondent : Mr.H.Arumugam

ORDER

(Order of the Court was made by **J.NISHA BANU, J.**)

This petition is filed to condone the delay of 760 days in filing the above writ appeal against the order of this Court in W.P.(MD)No.1066 of 2018 dated 29.11.2022.

2.The reason given by the petitioners for such huge delay is that due to administrative reasons, the petitioners were not able to file the appeal in time. Except this, no other sufficient reason was given by the petitioners.

3.Though Courts have consistently held that the merits of the matter should be looked into, instead of throwing it on technicalities, yet, it is also a settled proposition that inordinate delay defeats equity. In the instant case, the averments made in the supporting affidavit are bereft of sufficient cause for condoning the inordinate delay of 760 days in filing the Writ Appeal, which would clearly exhibits lethargic attitude on the part of the petitioners, as such the petitioners are not entitled to seek indulgence of this Court.



C.M.P.(MD)No.1850 of 2025

WEB COPY 4.Thus, we are not inclined to condone the delay. Accordingly, this petition is dismissed. No costs. Consequently, connected W.A(MD)SR.No.7888 of 2025 is rejected at SR stage itself.

(J.N.B.,J.) (S.S.Y.,J.)
25.03.2025

Index : Yes/No
Internet : Yes/No
ta



WEB COPY



C.M.P.(MD)No.1850 of 2025

J. NISHA BANU,J.
and
S.SRIMATHY.J

ta

C.M.P.(MD)No.1850 of 2025
and
W.A.(MD)No.SR 7888 of 2025

25.03.2025