



C.M.P(MD)No.2962 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 18.02.2025

Coram

**THE HONOURABLE MRS.JUSTICE J. NISHA BANU
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

C.M.P(MD)No.2962 of 2021

in W.A(MD)SR.No.16119 of 2021

and W.A(MD)SR.No.16119 of 2021

1.The Tamil Nadu State Transport Corporation
Madurai Limited,
Represented by its Managing Director,
Madurai.

2.The General Manager,
The Tamil Nadu State Transport Corporation
Madurai Limited,
Madurai Region,
Madurai.

... Petitioners

Vs.

A.Elamaran

... Respondent

Prayer in C.M.P(MD)No.2962 of 2021:- Petition is filed under Section 5 of the Limitation Act to condone the delay of 682 days in filing W.A(MD)SR.No.16119 of 2021.

Prayer in W.A(MD)SR.No.16119 of 2021:- Writ Appeal is filed under Clause 15 of the Letters Patent against the order passed by this Court in W.P(MD)No.4018 of 2019 dated 03.04.2019.



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C.M.P(MD)No.2962 of 2021

For Petitioners : Mr.J.Senthil Kumaraiah

ORDER

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

C.M.P(MD)No.2962 of 2021 has been filed to condone the delay of 682 days in filing the Writ Appeal, against the order passed by the learned Single Judge in W.P(MD)No.4018 of 2019 dated 03.04.2019.

2.Heard the learned counsel appearing for the petitioners and perused the materials placed before this Court.

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 682 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 indulgence of this Court.



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4.Thus, we are not inclined to condone the delay.

Accordingly, this petition is dismissed. No costs. Consequently, connected W.A(MD)SR.No.16119 of 2021 is rejected, at the S.R stage itself.

[J.N.B.,J.] & [S.S.Y.,J.]
18.02.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps

To

- 1.The Managing Director,
The Tamil Nadu State Transport Corporation
Madurai Limited,
Madurai.
- 2.The General Manager,
The Tamil Nadu State Transport Corporation
Madurai Limited,
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and
S.SRIMATHY, J.

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