



C.M.P(MD)No.5542 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 02.04.2025

Coram

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

C.M.P(MD)No.5542 of 2025

in W.A(MD)SR.No.25315 of 2025

and W.A(MD)SR.No.25315 of 2025

The Management,
A.2982, Pallapatti Primary Agricultural Co-operative
Credit Society Limited,
Represented by its President,
Pallapatti,
Kottampatti Via,
Melur Taluk,
Madurai District.

... Petitioner

Vs.

N.Subbaiah

... Respondent

Prayer in C.M.P(MD)No.5542 of 2025:- Petition is filed under Section 5 of the Limitation Act to condone the delay of 1070 days in filing W.A(MD)SR.No.25315 of 2025.

Prayer in W.A(MD)SR.No.25315 of 2025:- Writ Appeal is filed under Clause 15 of the Letters Patent against the order passed by this Court in W.P(MD)No.19831 of 2020 dated 11.02.2021.



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C.M.P(MD)No.5542 of 2025

For Petitioner : Mr.S.Kumar

ORDER

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

C.M.P(MD)No.5542 of 2025 has been filed to condone the delay of 1070 days in filing the Writ Appeal, against the order passed by the learned Single Judge in W.P(MD)No.19831 of 2020 dated 11.02.2021.

2.Heard the learned counsel appearing for the petitioner 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 1070 days in filing the Writ Appeal, which would clearly exhibits lethargic attitude on the part of the petitioner, as such the petitioner is not entitled to indulgence of this Court.



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

WEB COPY Accordingly, this petition is dismissed. No costs. Consequently, connected W.A(MD)SR.No.25315 of 2025 is rejected, at the S.R stage itself.

[J.N.B.,J.] & [S.S.Y.,J.]
02.04.2025

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

To

The President,
Represented by the Management,
A.2982, Pallapatti Primary Agricultural Co-operative
Credit Society Limited,
Pallapatti,
Kottampatti Via,
Melur Taluk,
Madurai District.



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

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