



CMP(MD) NO. 17655 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27-01-2025

CORAM

THE HONOURABLE MR JUSTICE RMT. TEEKAA RAMAN

AND

THE HONOURABLE MR.JUSTICE N.SENTHILKUMAR

CMP(MD) NO. 17655 of 2024

IN

WA(MD) SR NO. 52873 OF 2022

The Principal Secretary to Government
Commercial Taxes and Registration Department, Fort
St.George,
Chennai - 600 009. and 3 others

Petitioner(s)

Vs

T.Gunaseela Subramani
S/o.M.Thirumoorthy,
Assistant,
O/o.Assistant Commissioner (ST) - I, Dindigul and 2 others

Respondent(s)

For Petitioner(s):

M/s.D.Farjana Ghousia
Special Government Pleader

For Respondent(s):

M/s.J.Pooventhera Rajan, Advocate

ORDER

(Order of the Court was made by the Hon'ble Rmt.Teekaa Raman J.)

W.P.(MD)No.15585 of 2018 has been filed against the original order of the
appointing authority in cancelling the original declaration of probation and shifting



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the date of completion of passing of the examination on the ground that they have not completed the requisite training at Bhavanisagar, Civil Service Training Institute.

2.The learned counsel for the respondents submitted that the writ petitioners have filed the said writ petition challenging the said order on the ground that they have been nominated belatedly to the said training, and hence, Rule 33(A)(1) has to be applied.

3.Per contra, the learned Special Government Pleader appearing for the petitioners submitted that such a statement is rectified in G.O.(D)No.164 of Commercial Taxes and Registration Department, dated 30.04.2015.

4.Hence, we find that there is an arguable point with regard to the delay. Since there is a delay as per the revised calculation, we are inclined to condone the delay, however on certain terms.

5.Accordingly, this civil miscellaneous petition is allowed and the delay of 1294 days in filing the above appeal is condoned, subject to payment of Rs.1,500/- (Rupees



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one thousand and five hundred only) by the petitioners to the learned counsel appearing for the respondents 1 to 3, within a period of three weeks from the date of receipt of a copy of this order, failing which this civil miscellaneous petition shall stand dismissed automatically without further reference to this Court.

6.Post the matter after three weeks for reporting compliance.

sd/-
27/01/2025

/ TRUE COPY /

/02/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SJI
TO

1. THE PRINCIPAL SECRETARY TO GOVERNMENT,
COMMERCIAL TAXES AND REGISTRATION DEPARTMENT,
FORT ST.GEORGE,
CHENNAI - 600 009.
2. THE COMMISSIONER OF COMMERCIAL TAXES,
EZHILAGAM,
CHEPAUK,
CHENNAI.
3. THE JOINT COMMISSIONER (ST)
MADURAI COMMERCIAL TAXES DIVISION,
DR.THANGARAJ SALAI,
MADURAI.



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4. THE JOINT COMMISSIONER (ST)
CHENNAI NORTH COMMERCIAL TAXES DIVISION,
CHENNAI.

+1. C.C. to M/S.GOV'T PLEADER Advocate SR.No.5226(F) DATED 28/01/2025

ORDER
IN
CMP(MD) No.17655 of 2024
IN
WA(MD) SR NO. 52873 OF 2022
Date :27/01/2025

SS/VR/SAR- /03/02/2025/ 4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023