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C.M.P.(MD)No.13613 of 2025
in W.A.(MD)SR No.67257 of 2025

DR.ANITA SUMANTH, J.
AND
C.KUMARAPPAN, J.

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

Dissatisfied with the condonation petition filed on 05.08.2025, we had permitted the State to file an additional affidavit, which has been filed on 29.10.2025. Para 3 thereof reads as follows:-

“3. It is respectfully submitted that we are advised that we had fair chance of succeeding in the writ appeal. It is further submitted that the impugned order dated 09.08.2024 was received by the Petitioners/Appellants on 12.12.2024. Information was immediately conveyed to the Government through the Commissioner of Land Administration and the 1st Petitioner / Respondent herein over phone and on getting remarks from the advisory departments such as law, Human Resources Management, Finance on circulation, directed the Petitioners/Appellants to file appeal through video conferencing and on getting the advisory opinion from the Learned Government Pleader, Madurai Bench of Madras High Court on 31.05.2025. Since it was found that there were interpolation and overwriting in the revenue records, as instructed by the Collector, the original revenue records were searched and the records pertaining to F.1427 viz. Adangal, chitta copies alone could be found after diligent search in the month of August, 2025. It is submitted as a matter of fact, the recommendation by the Village Administrative Officer and the Revenue Inspector in the year 2019 and recommendation of the Assistant Director, Minerals and Mining Department dated 06.03.2020 produced by the writ petitioner before the Hon'ble Single



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Judge and referred by the Hon'ble Single Judge in the order dated 09.08.2024 are not available in the office records. It is submitted that the recommendation made by the then Tahsildar namely Karuppaiah for grant of assignment patta in favour of the writ petitioner is also not available in the office records. The said Tahsildar namely Karuppaiah had attained supernation and he was not permitted to retire since charges were framed against for granting patta in the open space area reserved in the layout allotted by the Adi Dravidar Welfare Department. It reveals that lot of things had happened behind the back and the papers could not be searched since they are not forming part of the records maintained by the Appellants. As a matter of fact, the family members of the petitioner i.e. the elder paternal uncle, namely O.P.Vasudevan had given objection for grant of assignment by way of statement dated 25.09.2024 before the Revenue Inspector, Usilampatti Taluk. He had also given objection during the year 2021 which can be evident from the proceedings of the Revenue Divisional Officer, Usilampatti Addressed to the District Collector, Madurai. It is submitted that several illegal practices were performed by the Individuals for getting assignment patta in favour of the writ petitioner. It is in these circumstances, there occurred a delay in filing the writ Appeals since considerable period were spent in searching the papers which are not available in the office records which happened beyond the control of the officials. Hence as ordered by the Government considered opinion was sought for by the Collector, Madurai from the Learned Government Pleader, Madurai Bench of Madras High Court vide Roc. No. e.359109/2025/J1 dated 25.07.2025 and the Learned Government Pleader vide his considered opinion in GP/LO/3114/2025 dated 07.08.2025 is of the considered opinion that it is a fit case for preferring appeal. Hence the appeal papers were prepared and filed before this Hon'ble Court on 07.08.2025 with a delay – of days which is neither willful nor wanton, but only due to the administrative exigencies.”

2. Having regard to the aforesaid, the delay of 333 days in filing the Writ Appeal is condoned and this Miscellaneous Petition is ordered.



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[A.S.M.J.] & [C.K.J.]
06.11.2025



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