



C.M.P(MD)No.17997 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 09.04.2025

Coram

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

C.M.P(MD)No.17997 of 2024

in W.A(MD)SR.No.88251 of 2024

and W.A(MD)SR.No.88251 of 2024

The Management through the General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Limited,
Nagercoil Region,
Kanyakumari District.

... Petitioner

Vs.

- 1.The Presiding Officer,
The Labour Court,
Tirunelveli.
- 2.The Secretary,
Kamaraj Nadar Tholilalar Sangam,
Nagercoil Region,
C.S Building Rubber Board Stop,
K.P.Road, Nagercoil,
Kanyakumari District.

... Respondents

Prayer in C.M.P(MD)No.17997 of 2024:- Petition is filed under Section 5 of the Limitation Act to condone the delay of 2065 days in filing W.A(MD)SR.No.88251 of 2024.



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Prayer in W.A(MD)SR.No.88251 of 2024:- Writ Appeal is filed under Clause 15 of the Letters Patent against the order passed by this Court in W.P(MD)No.5381 of 2016 dated 13.03.2018.

For Petitioner : Mr.K.Sathiya Singh

For R – 1 : Court

For R – 2 : Mr.M.Dennis Joe

ORDER

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

C.M.P(MD)No.17997 of 2024 has been filed to condone the delay of 2065 days in filing the Writ Appeal, against the order passed by the learned Single Judge in W.P(MD)No.5381 of 2016 dated 13.03.2018.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the second respondent 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



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the instant case, the averments made in the supporting affidavit are bereft of sufficient cause for condoning the inordinate delay of 2065 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.

4.Thus, we are not inclined to condone the delay. Accordingly, this petition is dismissed. No costs. Consequently, connected W.A(MD)SR.No.88251 of 2024 is rejected, at the S.R stage itself.

[J.N.B.,J.] & [S.S.Y.,J.]
09.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
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To

The Management through the General Manager,
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