



*C.M.P.No.2180 of 2016 in
W.A.Sr.No.9432 of 2016*

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R. SURESH KUMAR, J.

AND

N. SENTHILKUMAR, J.

[Order of the Court was made by R. SURESH KUMAR, J.]

This petition is filed to condone the delay of 1413 days in filing the writ appeal.

2. There is a delay of 1413 days in filing W.A.Sr.No.9432 of 2016. We have perused the reasons stated in the affidavit filed in support of this petition and also we have heard *Mr.P.Kumaresan*, learned Additional Advocate General, assisted by *Mr.E.Veda Bagath Singh*, learned Special Government Pleader for the petitioners.

3. We are not satisfied with the reasons stated in the affidavit filed in support of this petition, therefore, in fact, this petition is to be dismissed, however, the learned Additional Advocate General would submit that, the very writ appeal itself has been filed only to seek a minor clarification of the order which is impugned in the writ appeal, where, in paragraph No.10 of the order dated 23.01.2012, the learned Writ Court has observed that, it is open to the second respondent, that is the second appellant, to pass orders afresh after hearing the writ petitioner and after considering various grounds raised by him.

Page No.1 of 3



C.M.P.No.2180 of 2016 in
W.A.Sr.No.9432 of 2016

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4. In this context, as per the Rule which is in vogue, the first appellant, who was the first respondent, that is the State of Tamil Nadu, Rep. By the Secretary to Government, Home (TR.II) Department, Secretariat, Chennai – 600 009, alone is empowered to pass such orders, therefore, in stead of the second petitioner/appellant, if the first petitioner/appellant is permitted to pass orders as per the Rule and if that clarification is issued by this Court in the proposed writ appeal, that would suffice, he submits.

5. In view of the limited scope of the writ appeal, as has been projected by the learned Additional Advocate General, we are inclined to accept the petition for condonation of delay. Registry is directed to number the main writ appeal and post the same for admission as early as possible, if it is otherwise in order.

(drm)

(R.S.K., J) (N.S., J)
18.03.2026



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