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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.03.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND
THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

C.M.P.(MD)No.3699 of 2026
and
W.A.(MD)No. SR 22143 of 2026

B.Mahendran

... Petitioner

Vs.

The Chairman,
Tamilnadu Forest Uniform Services,
Recruitment Committee,
Panagal Maligai 9th Floor,
Saidapet, Chennai-15.

... Respondent

PRAYER in C.M.P.(MD)No.3699 of 2026:- Petition filed under Section 5 of the Limitation Act, to condone the delay of 1390 days in filing the writ appeal against the order dated 21.04.2022 passed in W.P.(MD)No. 3411 of 2017.

PRAYER in W.A.(MD)No.SR 22143 of 2026:- Appeal filed under Clause 15 of the Letters Patent Act, to set aside the order dated 21.04.2022 passed in W.P.(MD)No.3411 of 2025.



For Petitioner : Mr.R.Suriya Narayanan

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

This petition is filed seeking to condone the delay of 1390 days in filing the above writ appeal.

2. The reasons assigned in the application for such huge delay are after the disposal of the writ petition, the petitioner filed a review application seeking to review the order passed in the writ petition and the same was allowed. Aggrieved by the said order, the respondent herein has preferred a writ appeal and the said appeal was allowed as against the petitioner herein. In view of the aforesaid sequence of events, the delay in preferring the present writ appeal against the order passed in the writ petition has occasioned.

3. Ordinarily, the Court adopts a liberal approach while considering petitions for condonation of delay. At the same time, for



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extending such a liberal approach, there must be justifiable reasons. In the present case, the affidavit filed in support of the petition seeking condonation of such a huge delay is bereft of sufficient and satisfactory particulars explaining the inordinate delay. In the absence of any acceptable explanation, condonation of such delay cannot be sought as a matter of right.

4. When the law mandates that a particular activity shall be performed within a stipulated time, the same cannot be diluted. When there is no sufficient cause for condoning the delay, the said delay cannot be condoned as a matter of right.

5. We are not satisfied with the reasons for condoning the delay. Further, the Writ Appeal has been filed challenging the order passed by the learned Single Judge in W.P.(MD) No.7563 of 2020, dated 22.12.2022, wherein the candidature of the petitioner was directed to be considered based on his eligibility and availability of the said post. We do not find any merit in the present appeal.



6. Accordingly, this Civil Miscellaneous Petition is dismissed.

Consequently, the connected W.A.(MD) SR No.22143 of 2026 is rejected at the SR stage itself. No costs.

[N.S.K., J.] & [M.J.R., J.]
24.03.2026

Index : Yes/No
Internet : Yes
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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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