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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2026

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THE HONOURABLE MR.JUSTICE P.B. BALAJI

**CMP.(MD).Nos.9658 to 9660 of 2025
in Rev.Applc(MD).SR.Nos.41487, 41423 & 41377 of 2025**

1.The Deputy Registrar,
Office of Deputy Registrar of
Cooperative Societies,
30, 3rd Cross Street, Perummalpuram,
Tirunelveli 627 007.

2.The Special Tahsildar,
TT 13, Tamil Nadu State Transport
Corporation (Madurai Division II),
Employees Thrift and Credit Society,
Vannarpettai, Tirunelveli.

Petitioners in all CMPs

Vs

V.Srinivasan (Died)

1.Balaji

2.Shanthi

3.Rajalakshmi

Respondents in all CMPs

Common Prayer: Civil Miscellaneous Petitions filed under Section 5 of the Limitation Act, to condone the delay of 479 days in filing the review applications against the common order dated 08.12.2023 in CRP(MD).Nos.1001, 1002 & 1003 of 2019.

Basheer	For Petitioners :	M/s.Ahamed Yashmin Parvin
Government Pleader		Additional
		in all CMPs



For Respondents: Mr.Packiya for RR1 and 2 in all
R3 Died

COMMON ORDER

These Civil Miscellaneous Petitions have been taken out by the respondents in CRP(MD).Nos.1001, 1002 & 1003 of 2019, for condoning the delay of 479 days in filing the review applications in the respective revision petitions.

2.I have heard M/s.Ahamed Yashmin Parvin Basheer, learned Additional Government Pleader for the petitioners and Mr.Packiya, learned counsel for the respondents 1 and 2 in all these petitions.

3.The learned Additional Government Pleader for the petitioners would state that a web copy of the common order dated 08.12.2023 was downloaded by the petitioners on 22.01.2024 only. Though the review ought to have been filed within a period of 30 days, the 1st review petitioner had sought the advice of the 2nd review petitioner regarding preferring of the review application. The 2nd review petitioner, in turn, sought for legal opinion from the Government Pleader of the Madurai Bench of Madras High Court. Whose opinion was given only on 17.04.2024, recommending review petitions to be filed against the order. Immediately, the Society's administrator was instructed to file review applications, but however, on account of intervening summer vacation, Christmas holidays and Pongal holidays, the petitioners could not initiate steps for preferring the review applications, which has occasioned in the delay of 479 days in filing the review applications. The learned Additional Government Pleader would therefore state that on account of administrative delays alone, the delay has occasioned and the petitioners, being State instrumentalities, should be given an opportunity to seek



review of the common order passed in the revision petitions.

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4.Per contra, the learned counsel for the respondents 1 and 2 would vehemently opposed the applications for condonation of delay, contending that absolutely no sufficient cause has been made out, excepting citing administrative delays. He would further state that the Hon'ble Supreme Court, as well as this Court have repeatedly come down on administrative delays being projected as reason for seeking condonation of delay. He would also rely on the recent decision of the Hon'ble Supreme Court in *Shivamma (Dead) by LRs Vs. Karnataka Housing Board and others*, in *Civil Appeal.No.11794 of 2025* dated 12.09.2025 and seek for dismissal of the condone delay applications.

5.I have carefully considered the submissions advanced by the learned Additional Government Pleader for the petitioners and the learned counsel for the respondents.

6.Admittedly, the petitioners were aware of the order passed and even from their own admission, it is seen that as early as in January 2024, web copy of the order was made available to them. It is strange that the 1st review petitioner has sought for an opinion regarding preferring a review application from the 2nd review petitioner, who is also a party in the revision petitions.

7.Be that as it may, the Government Pleader has recommended for filing of review applications as early as on 17.04.2024. Despite giving suitable directions to the Societies administrator to file review applications, based on the Government Pleader's opinion dated 17.04.2024, absolutely no steps have been taken in that regard. Curiously, the Society's administrator cites the summer vacation, Christmas holidays and Pongal holidays of the Courts as a reason for not preferring the review.



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8.The delay, even after the opinion of the Government Pleader which was given in April 2024, has not been explained. The attempt to cover the entire inordinate delay is only by referring to Court holidays, which has nothing to do with the filing of the review petitions right from April 2024 onwards for almost one year. In the light of the above, I do not find any sufficient ground or cause made out by the petitioners for seeking condonation of delay in filing the review applications.

9.The Hon'ble Supreme Court in *Shivamma's case*, has also clearly held that the State does not stand on any better footing when it comes to condonation of delay and they have also treated like any other litigant and *sine qua non* is making out sufficient cause and in the absence of the same, the delay cannot be condoned. Even applying the ratio laid down by the Hon'ble Supreme Court in the said case, I do not find any merit in the review applications.

10.In view of the above, the Civil Miscellaneous Petitions are dismissed.
No costs.

09.01.2026

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To

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2.The Special Tahsildar,
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P.B.BALAJI, J.
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