

CMP(MD). No.7102 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 24.06.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

CMP(MD)No.7102 of 2026
in
WA(MD)SR.No.43722 of 2026

L.Sundararajan

... Petitioner

Vs.

1. The Principal Secretary,
Environment and Forest Department,
Government of Tamilnadu,
Chennai - 600 009.

2. The Principal Conservator of Forests,
No.1, Jennis Park, PanagalMaaligai,
Saidapet, Chennai - 600 015.

3. The Chief Conservator of Forests,
Mudumalai Tiger Reserve,
Udhagamandalam.

... Respondents

PRAYER in CMP(MD)No.7102 of 2026 :- Petition filed under Section 5 of the Limitation Act, to condone the delay of 1532 days in filing the above writ appeal against the order passed in W.P(MD)No.3371 of 2019 dated 21-02-2022 on the file of this Court.



WEB COPY



CMP(MD). No.7102 of 2026

For Petitioner
For R1 to R3

: Mr.R.Niresh Kumar
: Mr.C.Jeganathan
Counsel for State

ORDER

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

This Civil Miscellaneous Petition has been filed to condone the delay of 1532 days in filing the Writ Appeal.

2. Heard the learned counsel appearing for the petitioner and the learned counsel for State appearing for the respondents and perused the materials available on record.

3. The reasons assigned for the delay are that since there was a matrimonial dispute between his son and daughter-in-law, the petitioner could not contact his counsel and file the case in time.

4. We have perused the entire affidavit. Merely because there was matrimonial dispute between the petitioner's son and daughter-



CMP(MD). No.7102 of 2026

in-law, that cannot be a ground to say that the petitioner was not in a position to pursue his litigation. The petitioner seeks notional promotion several years after retirement. Needless to say, the petitioner has to offer reason for each and every day delay, whereas no sufficient cause has been shown to condone the above inordinate delay.

5. It is well settled that the Court ordinarily adopts a liberal approach while considering petitions for condonation of delay. At the same time, such an approach cannot be extended in the absence of justifiable and sufficient reasons.

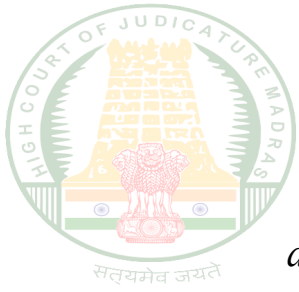
6. In this regard it is useful to refer the judgment of the Division Bench of this Court in *State of Tamil Nadu and Ors Vs. Melvisharam Muslim Educational Society* reported in 2018 [3] CTC 420, wherein the Division Bench of this Court has held as follows:



CMP(MD). No.7102 of 2026

WEB COPY

“... Though the delay is condoned by the Court normally in a liberal manner, the said approach cannot be extended mechanically without any plausible explanation. What is pitted against an ordinary litigant is also pitted against the Government before Court of law to establish a particular fact. Though the word ‘sufficient cause’ has to be given a liberal approach, to exercise discretion ? for such liberal approach, there must be necessary facts in the affidavit filed in support of the same. But, on a perusal of the affidavit, we do not find plausible explanation for such delay except stating that there is an administrative delay. Such vague and bald explanation cannot be accepted mechanically. When Courts are extending such liberal approach mechanically, it has become a routine affairs of the Government Departments to file the appeals against every order passed by the Court. The present day scenario in filing the appeal, challenging every order by the Government Departments, clearly exhibits shirking responsibility of the Department Heads. In fact, now the tendency has developed among the Department Heads, not to take any risk and to avoid any question relate to the litigant and only in order to avoid any query, the



CMP(MD). No.7102 of 2026

WEB COPY *administrative side files these types of appeals, though there is no merit in the appeal.”*

7. The Court, in exercising discretion, particularly in these types of petitions, has to see the conduct, behaviour and attitude of a party relating to its inaction or negligence. The above factors are relevant to be taken into consideration as the fundamental principle is that Courts are required to weigh the scale of balance of justice in respect of both parties and the said principle cannot be given a total go-by in the name of liberal approach. There is an increasing tendency to perceive delay even in a non-serious matter. Hence, the delay due to nonchalant attitude should be curbed at the initial stage itself. It is for them to be very vigilant from the very inception and they cannot sit over the files and come up with unacceptable reasons to condone the delay.

8. In the present case, we are not satisfied with the reasons assigned for condoning such an inordinate delay of 1532 days.



CMP(MD). No.7102 of 2026

WEB COPY

9. Accordingly, this Civil Miscellaneous Petition is dismissed.

Consequently, the connected W.A(MD)SR.No.43722 of 2026 is rejected at the SR stage itself. No costs.

[N.S.K., J.] & [M.J.R., J.]
24.06.2026

bala

To

1. The Principal Secretary,
Environment and Forest Department,
Government of Tamilnadu,
Chennai - 600 009.
2. The Principal Conservator of Forests,
No.1, Jennis Park, PanagalMaaligai,
Saidapet, Chennai - 600 015.
3. The Chief Conservator of Forests,
Mudumalai Tiger Reserve,
Udhagamandalam.



WEB COPY



CMP(MD). No.7102 of 2026

N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.

bala

CMP(MD)No.7102 of 2026
in
WA(MD)SR.No.43722 of 2026

24.06.2026