



C.M.P.(MD) No.14125 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2026

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

**C.M.P.(MD) No.14125 of 2025
in
W.A.(MD) SR No.56271 of 2025**

The Administrator
DD.592, V.Kurumbapatti
Primary Agriculture Cooperative
Credit Society
V.Kurumbapatti, Dindigul District

... Petitioner

-vs-

1.S.Savari Arockiyadoss

2.The Domestic Enquiry Officer
DD.592, V.Kurumbapatti
Primary Agriculture Cooperative
Credit Society
V.Kurumbapatti, Dindigul District
[Cause title accepted vide court
order dated 28.07.2025 made in
C.M.P.(MD) No.11911 of 2025]

... Respondents



C.M.P.(MD) No.14125 of 2025

WEB C **PRAYER:** Petition filed under Section 5 of Limitation Act to condone the delay of 168 days in filing the above writ appeal as against the order dated 18.12.2024, passed in W.P.(MD) No.13705 of 2019.

For Petitioner : Mr.A.Thirumoorthy

For Respondents : Mr.M.Sridharan for R1
No appearance for R2

ORDER

[Order of the Court was made by DR.G.JAYACHANDRAN, J.]

This civil miscellaneous petition has been filed seeking to condone the delay of 168 days in the filing the above writ appeal.

2. This Court ordered notice to the respondents on 26.08.2025 and the first respondent has entered appearance on 25.09.2025. Though the second respondent has been served with notice and his name has been printed in the cause list, there is no representation for the second respondent either in person or through his counsel. Further, till date, the respondents have not filed their counter affidavit.



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3. That apart, a legal issue has been raised in the present appeal as to whether the Secretary of a Co-operative Society will fall within the definition of “employee” as defined under the Tamil Nadu Payment of Subsistence Allowance Act, 1981.

4. In the above circumstances, we are inclined to condone the delay.

5. Accordingly, this civil miscellaneous petition is allowed and the delay of 168 days in filing the above writ appeal is condoned.

6. Registry is directed to number the writ appeal, if the papers are otherwise in order, and post the same for admission in the usual course.

[G.J., J.]

[K.K.R.K., J.]

05.02.2026

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

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AND
K.K.RAMAKRISHNAN, J.

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