



CMP(MD) NO. 18278 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04-02-2026

CORAM

THE HONOURABLE MR JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MRS JUSTICE R. KALAIMATHI

CMP(MD) NO. 18278 of 2025

IN

REV.APLC(MD) SR NO. 95959 OF 2025

1. B.Subhashini
W/o. R.Senthilnathan
6A, Tilagar Street
Tirunagar, Madurai.

Petitioner(s)

Vs

1. State of Tamilnadu
Rep. by Secretary to Government
Police Department
Fort St. George
Chennai-600 009.

2. The Director General of Police
Chennai-600 004.

3. The Additional Director General of Police
(Law and Order), Chennai-600 004.

4. The Commissioner of Police
Madurai City, Madurai.

Respondent(s)



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For Petitioner(s):

Mr.R.L.Dhilipan Pandian

For Respondent(s):

Mr.S.Shaji Bino,
Special Government Pleader.

Prayer: To condone the delay of 2517 days in filing the Review Application against the judgement dated 15.11.2018 in WA(MD) No.871 of 2011 and pass such further or other orders as this Honourable Court may deem fit and proper in the interests of justice.

ORDER

(Order of the Court was made by the Hon'ble G.R.Swaminathan J.)

Heard both sides.

2.The petitioner herein filed W.P.(MD)No.10189 of 2005 questioning her termination from service and seeking reinstatement. The writ petition was allowed vide order dated 03.12.2010. Challenging the same, the State filed W.A.(MD)No.871 of 2011. The writ appeal was partly allowed. However, we had recorded that while she will be reinstated as Sub-Inspector of Police and backwages will not be given, she cannot seek further promotion. Seeking review of the said order, this application has been filed. There is delay of 2517 days in filing the review application. The petitioner has filed this miscellaneous petition for condoning the delay.



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3.The respondents filed counter affidavit opposing the petition for condonation of delay. Paragraph No.13 of the counter affidavit reads as follows:-

“13.It is respectfully submitted that the present review application suffers from an inordinate and unexplained delay of 2517 days from the date of the Division Bench judgment dated 15.11.2018. The reasons now sought to be projected by the review applicant, such as medical follow-ups, family responsibilities, financial constraints and the COVID-19 pandemic, are general, vague and omnibus in nature, and do not satisfactorily explain such a prolonged and continuous delay. It is pertinent to submit that during the entire interregnum period, the review applicant was reinstated in service, was actively discharging duties, and was fully aware of the explicit conditions imposed by the Division Bench, including the embargo on promotion. The cause of action, if any, arose on the date of the judgment itself and not at a later point of time. The explanation offered is therefore neither sufficient nor bona fide, and does not meet the legal threshold for condonation of such an extraordinary delay, especially in a matter where the judgment has long since attained finality.”

4.We too acknowledge that the delay is inordinate. The objections raised by the respondents are also sound. But in the interest of justice, the delay deserves to be condoned. We had a personal interaction with the petitioner. She had suffered a gruesome fire accident and that was



why, she was absent. The learned Single Judge had granted relief and in the challenge to the same, we had substantially affirmed the order of the learned Single Judge. But then, we had recorded a finding that the writ petitioner on her own had given up her claim for promotion. The petitioner informed us that she had only given up her claim for backwages and that her statement was wrongly recorded by this Court. We do not want to doubt her statement. Since the writ appeal was disposed of based on her own statement, obviously, the petitioner cannot file any appeal before the Hon'ble Supreme Court. She has to necessarily file a review application and which remedy, she has now resorted to. Taking into account the overall facts and circumstances, we are satisfied that sufficient cause has been made out to condone the delay. The delay 2517 days in filing the review application is condoned.

5.This miscellaneous petition is allowed. The Registry is directed to number the review application, if it is otherwise in order.

(G.R.SWAMINATHAN J.) (R.KALAIMATHI J.)

04-02-2026

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Chennai-600 009.
2. The Director General of Police
Chennai-600 004.
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