



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the First day of July Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice NOOTY. RAMAMOHANA RAO
and
The Hon`ble Mr.Justice S.S.SUNDAR

CMP(MD) No.6171 of 2016
IN
WA(MD) No.SR20443 of 2016

A.P.SIVAKUMAR

... PETITIONER/APPELLANT

Vs

1 THE GOVERNMENT OF TAMILNADU,
REP. BY THE SECRETARY,
DEPARTMENT OF SCHOOL EDUCATION,
ST. GEORGE FORT, CHENNAI.

2 THE DIRECTOR OF PUBLIC LIBRARY
DIRECTORATE OF PUBLIC LIBRARY,
NO. 737/1, ANNA SALAI,
CHENNAI-2.

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 411 days in filing the Writ Appeal in W.A (SR).No. 20443 of 2016 and thus render justice.

Prayer in WA(MD) No.SR20443 of 2016:

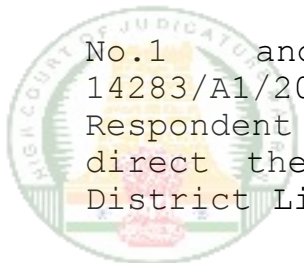
To prefers this memorandum of grounds of Writ Appeal against the Interim Order made in MP(MD)No.2 of 2015 in WP(MD)No.735 of 2015 dated 13.02.2015.

Prayer in MP(MD). 2/ 2015 in WP(MD).735/2015 :

To pass an order of Interim Stay of the operation of the Impugned Order of Reversion in G.O. Ms. No.9, School Education (PO. Noo.1) Department dated 12.01.2015 on the file of the Respondent No.1 and the Consequential Order in Na.Ka. No. 14283/A1/2010/A1/2010-2 dated 13.01.2015 on the file of the Respondent No.2.

Prayer in WP(MD). 735/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a aWrit of Certiorarified Mandamus, to call for teh records pertaining to the Impugned Order of Reversion in G.O. Ms. No.9, School Education (PO. Noo.1) Department dated 12.01.2015 on the file of the Respondent



No.1 and the Consequential Order in Na.Ka. No. 14283/A1/2010/A1/2010-2 dated 13.01.2015 on the file of the Respondent No.2 and quash the same as illegal and consequently direct the Respondent to retain the Petitioner in the post of District Library Officer.

ORDER: This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and the petitioner not appeared either in person or by an Advocate, the court made the following order:-

(Order of the Court was made by **NOOTY.RAMAMOHANA RAO, J**)

None appears for the petitioner.

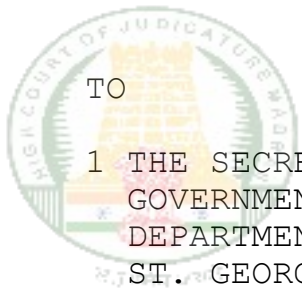
2.This is an application seeking condonation of delay of 411 days in preferring the accompanying appeal. The accompanying appeal has been preferred against an interlocutory order passed in M.P(MD)No.2 of 2015 in W.P(MD)No.735 of 2015 on 13.02.2015. The learned single Judge who entertained the writ petition preferred by the very same appellant herein has passed an order directing status quo existing as on 22.01.2015 to be maintained and while doing so, the learned single Judge has noticed that there is another writ petition in W.P.No.1419 of 2015 filed before the Principal Bench of this Court by three other individuals challenging the very same impugned order and the Principal Bench has passed an order directing the status quo as on 22.01.2015 to be maintained. Therefore, the learned single Judge while passing the impugned order has merely followed a similar order passed by the Principal Bench in another connected matter.

3.We are not able to see any error in the order passed by the learned single Judge warranting interference at our hands as the learned single Judge preferred consistency and hence we have not found any merit in the accompanying writ appeal. Accordingly, the application seeking condonation of delay of 411 days in filing the accompanying writ appeal is dismissed for want of reasonable or acceptable reasons for such a delay. Consequently, the accompanying writ appeal is also dismissed.

sd/-
01/07/2016

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1 THE SECRETARY,
GOVERNMENT OF TAMILNADU,
DEPARTMENT OF SCHOOL EDUCATION,
ST. GEORGE FORT, CHENNAI.

2 THE DIRECTOR OF PUBLIC LIBRARY
DIRECTORATE OF PUBLIC LIBRARY,
NO. 737/1, ANNA SALAI,
CHENNAI-2.

+1 CC to Mr.T.LAJAPATHI ROY, Advocate, SR No.35005

ORDER

IN

CMP (MD) No.6171 of 2016

IN

WA (MD) No.SR20443 of 2016

Date :01/07/2016

SMS

TE/GSV-PM/SAR-II : 06/07/2016 : 2P/4C