



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

Monday, the Twenty Seventh day of March Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice T.S.SIVAGNANAM
and

The Hon`ble Mr.Justice P.VELMURUGAN

CMP(MD) Nos.5817 and 5818 of 2016

IN

WA(MD) No.SR56007 and 56011 of 2015

1 THE STATE OF TAMIL NADU
REP BY ITS SECRETARY,
SCHOOL EDUCATION DEPT,
FORT ST GEORGE, CHENNAI-9.

2 THE JOINT DIRECTOR(VOCATIONAL)
OF SCHOOL EDUCATION, COLLEGE ROAD,
CHENNAI-06.

3 THE DISTRICT EDUCATIONAL OFFICER,
MADURAI DISTRICT, THALLAKULAM,
MADURAI.

... PETITIONERS/APELLANTS
IN BOTH THE PETITIONS

Vs

A.K.SUBRAMANIAN

...1st RESPONDENT IN CMP(MD) No.5817
of 2016 IN WA(MD) No.SR56007 of 2015

S.ARUMUGAM

...1st RESPONDENT IN CMP(MD) No.5818
of 2016 IN WA(MD) No.SR56011 of 2015

ACCOUNTANT GENERAL
(ACCOUNTS AND ENTITLEMENTS),
TAMILNADU, CHENNAI-18.

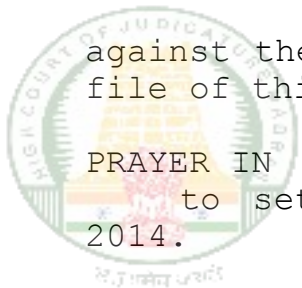
... 2nd RESPONDENT IN
BOTH THE PETITIONS

PRAYER IN CMP(MD) No.5817 of 2016 IN WA(MD) No.SR56007 of 2015:

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 586 days in filing the above WA.(MD). SR.No.56007/2015 filed as against the order dated 12.06.2014 in WP.(MD).No.7161/2014, on the file of this Honourable Court and thus render justice.

PRAYER IN CMP(MD) No.5818 of 2016 IN WA(MD) No.SR56011 of 2015:

<https://hcservices.ecourts.gov.in/hcservices/>
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 586 days in filing the above appeal filed as



against the order dated 12.06.2014 in WP(MD)No.7162 of 2014, on the file of this Hon'ble Court and thus render justice.

PRAYER IN WA(MD) No.SR56007 of 2015:

to set aside the order dated 12.06.2014 in WP(MD)No.7161 of 2014.

PRAYER IN WA(MD) No.SR56011 of 2015:

to set aside the order dated 12.06.2014 in WP(MD)No.7162 of 2014.

Prayer in WP(MD). 7161/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records of the impugned order passed by the 2nd respondent dated 4.10.2013 bearing pen 22/II/12208559/13-14/468 and quash the same and direct the respondents to take the 50% of the part time service rendered by the petitioner i.e. from 5.12.1978 to 4.10.1996 along with the regulars service for the pension benefits i.e. for the period of 16 years 09 months and 26 days. and pass such further order or other orders as this Honble Court may deem fit.

Prayer in WP(MD). 7162/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records of the impugned order passed by the 3rd respondent dated 28.01.2011 bearing Mu.Mu.NO. 46140/V1/E3/2010 and quash the same and direct the respondents to take the 50% of the part time service rendered by the petitioner i.e. from 24.09.1981 to 31.03.1990 along with the regulars service for the pension benefits i.e. for the period of 22 years 05 months and pass such further or other orders.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of MR.V.MURUGANANTHAM, Additional Government Pleader for the petitioner and of MR.R.SARAVANAN, Advocate for R1 and MR.P.GUNASEKARAN, Advocate for R2, the court made the following order:-

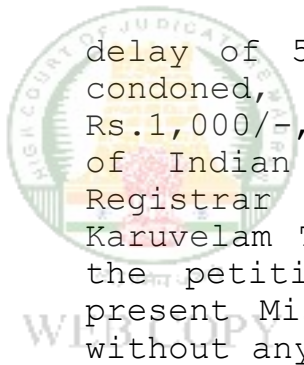
Order of the Court was made by T.S.SIVAGNANAM,J.

Heard the learned Additional Government Pleader appearing for the petitioners, the learned counsel appearing for the first respondent and the learned Standing Counsel appearing for the second Respondent.

2. The reasons given by the petitioners to condone the delay of 586 days are not convincing. However, it is submitted by the learned Additional Government Pleader appearing for the petitioners that similar Writ Appeals were filed before the Principal Seat and interim stay has been granted.

<https://hcservices.ecourts.gov.in/hcservices/>

3. In view of the above, these petitions seeking to condone the



delay of 586 days in filing appeals is allowed and the delay is condoned, on condition that the petitioners shall pay a sum of Rs.1,000/-, within a period of two weeks from today, to the credit of Indian Bank Savings Account No.6514082295, operated by the Registrar [Administration], for the purpose of removal of Seemai Karuvelam Trees. It is made clear that if the cost is not paid by the petitioners within the time stipulated in this order, the present Miscellaneous Petition shall stand dismissed automatically without any further reference to this Court.

sd/-
27/03/2017

/ TRUE COPY /

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

TO

- 1 THE SECRETARY,
THE STATE OF TAMIL NADU
SCHOOL EDUCATION DEPT,
FORT ST GEORGE, CHENNAI-9.
- 2 THE JOINT DIRECTOR(VOCATIONAL)
OF SCHOOL EDUCATION, COLLEGE ROAD,
CHENNAI-06.
- 3 THE DISTRICT EDUCATIONAL OFFICER,
MADURAI DISTRICT, THALLAKULAM,
MADURAI.
- 4 THE ACCOUNTANT GENERAL
(ACCOUNTS AND ENTITLEMENTS),
TAMILNADU, CHENNAI-18.

COPY TO

- 1.THE REGISTRAR(ADMIN)
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI
- 2.THE MANAGER
INDIAN BANK,
MADURAI BENCH OF MADRAS HIGH COURT
MADURAI

ORDER
IN
CMP(MD) Nos.5817 and 5818 of 2016
IN WA(MD) No.SR56007 and 56011 of 2015
Date :27/03/2017