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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)
Friday, the Sixth day of January Two Thousand Seventeen
PRESENT

The Hon`ble Mr.Justice R.SUBBIAH

and

The Hon`ble Mrs.Justice J.NISHA BANU

CMP(MD) No.9964 of 2016

IN

WA(MD) No.SR40355 of 2016

- 1 THE GOVERNMENT OF TAMILNADU
REP BY ITS SECRETARY TO GOVT.
SCHOOL EDUCATION DEPT.
SECRETARIAT, CHENNAI.
- 2 THE DIRECTOR OF SCHOOL
EDUCATION, DPI COMPOUND,
COLLEGE ROAD, CHENNAI.
- 3 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
TIRUNELVELI EDUCATION DIST. TIRUNELVELI.
- 4 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER,
AMBASAMUDRAM,
TIRUNELVELI DIST. ... PETITIONERS/APELLANTS

Vs

SARASWATHI ISSAC PRIMACY SCHOOL,
CAUSE KEEPER THOPPOU,
PAPANASAM MILLS,
REP BY ITS SECRETARY, JEYASIGAMANI ... RESPONDENT/RESPONDENT

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 238 days in fling writ appeal.

PRAYER IN WA(MD).SR40355/2016 : To prefer this Memorandum of Grounds against the order passed by this Hon'ble Court in WMP(MD). 246 of 2015 in WP(MD).318 of 2015 dated 07.01.2016.

Prayer in WMP(MD). 246/ 2016 : To pass an order of Ad interim Direction, directing the 2nd respondents to give Temporary approval to the post of Head Mastedr at Saraswathi Issac Primary School, Causekepr Thopp, Papanasamu Mills P.O. Tirunelveli District without insisting the TET qualification and to disburse grand in aid along with arrears to the petitioner school with effect from 1.6.2013 pending disposal of the writ petition.

Prayer in WP(MD).318/2016 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified mandamus to call for the records pursuant to the impugned rejection order passed by the 4th respondent in Civil Petition No. 109/2013 dated 3.3.14 quash the same and consequently direct 2nd respondent to approve the appointment proposal dated 26.4.13.



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.R.Shanmuganathan, Spl.Govt.Pleader for the petitioners and of Mr.S.Chellapandian, Advocate on behalf of the Respondent, the court made the following order:-

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[Order of the Court was made by **R.SUBBIAH,J.**]

This petition seeking to condone the delay of 238 days in filing the appeal is allowed and the delay is condoned, on condition that the petitioners shall pay a sum of Rs.750/- (Rupees Seven Hundred and fifty only), within a period of one week from today, to the credit of creche account, Women Lawyers' Association, Madurai Bench of Madras High Court, Madurai. 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/-

06/01/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.1)

TO

- 1 THE GOVERNMENT OF TAMILNADU
REP BY ITS SECRETARY TO GOVT.
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- 4 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER,
AMBASAMUDRAM,
TIRUNELVELI DIST.
- 5 THE PRESIDENT/SECRETARY,
WOMEN ADVOCATES ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to SPL.GOV'T PLEADER Advocate SR.No.1447

ORDER IN

CMP(MD) No.9964 of 2016

IN WA(MD) No.SR40355 of 2016

Date :06/01/2017