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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 21.6.2018

Coram :

The Honourable Mr. Justice T.S. SIVAGNANAM

and

The Honourable Mr. Justice P. VELMURUGAN

(heard through video conferencing)

C.M.P. Nos. 12154 & 12155 of 2017

and

Review Application (MD) SR. Nos. 42825 and 45834 of 2017

1. The Secretary, School Education
Department, Government of
Tamil Nadu, Secretariat, Fort. St.
George, Chennai.
2. The Director of Teacher Education,
Research & Training, DPI Campus,
College Road, Chennai.
3. The Regional Accounts Officer
(Audit), School Education
Department, Madurai.
4. The Principal District Institute
of Education & Training,
Tirunelveli District.

...Petitioners/
Rev. Applicants

Vs

1. Mariyal
2. The Correspondent, Ooliyasthanan
Teacher Training Institute, Gandhi
Nagar, Tirunelveli-1.

...Respondents in
both CMPs & Rev. Applns.

PETITIONS under Section 5 of the Limitation Act to condone the delay of 72 days and 125 days respectively in filing the review applications as against the common judgment dated 12.6.2017 in WA (MD). Nos. 226 and 227 of 2017; and

REVIEW APPLICATIONS under Order XLVII Rules 1 and 2 read with Section 114 of the Civil Procedure Code to review the common judgment in WA (MD). Nos. 226 and 227 of 2017.

<https://hccourts.gov.in/wa/mds/> No. 226/ 2017 :

Writ appeal is filed u/s 15 of Letter Patent Act as against the order passed dated 15/03/2016 in WP (MD). No. 12508/2011.



Prayer in WP(MD)No. 12508/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to pay the salary from June 2005 with all the timely increments from the grant in aid as Office Assistant to the petitioner within stipulated time as may be fixed by this Honourable Court.

Prayer in WA(MD)No. 227/ 2017 :

Writ appeal is filed u/s 15 of Letter Patent Act as against the order passed dated 15/03/2016 in WP(MD).No.2041/2014.

Prayer in WP(MD)No. 2041/ 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 relating to the Impugned Order passed by the 4th respondent in his Proceedings in Na.Ka. No. 14080/E3/2008 dated 21.11.2013 and quash the same and consequently direct the respondents to pay the salary from June 2005 to till date within stipulated time as may be fixed by this Honourable Court.

For Applicants : Mr.V.R.Shanmuganathan, SGP

COMMON ORDER

We have heard the learned Special Government Pleader for the petitioners/applicants in the review applications at the stage of delay condonation.

2. We find that the grounds raised in the review applications are a repetition of the grounds, which were canvassed before this Court in the writ appeals and dealt with by the Division Bench in the impugned common judgment. We also find that the applicants have not pointed out any error, which is apparent on the face of the common judgment. Therefore, we are not inclined to exercise our discretion to condone the delay.

3. Hence, CMP(MD).Nos.12154 and 12155 of 2017 are dismissed. Consequently, the review applications are also rejected at the SR stage.

4. After the above order is dictated, the learned Special Government Pleader seeks time to comply with the direction issued in the writ appeals.



5. The applicants are granted three weeks' time from the date of receipt of a copy of this order to comply with the direction in the writ appeals.

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Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary, School Education Department, Government of Tamil Nadu, Secretariat, Fort.St. George, Chennai.
2. The Director of Teacher Education, Research & Training, DPI Campus, College Road, Chennai.
3. The Regional Accounts Officer (Audit), School Education Department, Madurai.
4. The Principal District Institute of Education & Training, Tirunelveli District.

RS

VB/RSK/SAR4/10.07.2018/3P/5C

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Rev.Aplc. (MD) SR.Nos.42825 & 45834 of 2017
21.6.2018