



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

Wednesday, the Seventh day of March Two Thousand Eighteen

PRESENT

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

and

The Hon`ble Mrs.Justice R.THARANI

CMP (MD) No.7305 of 2017

IN

WA (MD) No.SR30036 of 2017

- 1 THE SECRETARY, (SCHOOL EDUCATION DEPARTMENT),
TAMIL NADU GOVERNMENT,
SECRETARIAT, CHENNAI-600 009.
- 2 THE TAMILNADU SCHOOL EDUCATION DIRECTOR,
(HIGHER EDUCATION),
O/O.SCHOOL EDUCATION DIRECTORATE, CHENNAI-600 006.
- 3 THE CHIEF EDUCATION OFFICER
O/O.CHIEF EDUCATION OFFICE,
TIRUNELVELI, TIRNELVELI DISTRICT.
- 4 THE HEAD MASTER
GOVERNMENT HIGHER SECONDARY SCHOOL,
SENTDAMARAM POST,
TIRNELVELI DISTRICT.

... PETITIONERS/APPELLANTS

Vs

M. THIRUMALAI SAMY

... RESPONDENT/RESPONDENT

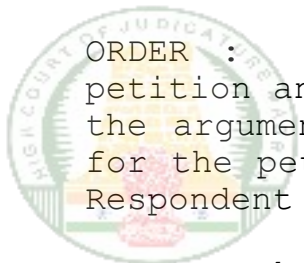
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 136 days in filing the above appeal filed as against the order dated 05/01/2017 in WP(MD)No. 7033 of 2011, on the file of this Honourable Court.

Prayer in WA(MD)No.sr30036 of 2017 :

To set aside the order dated 05.01.2017 passed in W.P. (MD).No.7033 of 2011 and to pass such other or further orders as this Hon'ble Court.

Prayer in WP(MD). 7033/ 2011 :

This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the proceedings order of 2nd respondent in O.Mu.No.641/VI/E1/2011, dated 25.01.2011 and to quash the same as not valid and thereby direct the respondent No.2 to regularise this petitioner as vocational teacher grade II, with all monitory benefits from 10.06.2002 as per the G.O.No.74



ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.D.MURUGANANTHAM, Additional Government Pleader, for the petitioners and of MR.F.X.EUGINE, Advocate on behalf of the Respondent the court made the following order:-

Heard MR.D.Muruganantham, learned Additional Government Pleader for the petitioners and MR.F.X.Eugine, learned Counsel for the respondent.

Considering the facts pleaded in the affidavit filed in support of the Condone delay petition, we are inclined to exercise on discretion subject to payment of cost to the respondent.

Accordingly, the delay is condoned subject to the condition that the petitioners Department pays a sum of Rs.3,000/- (Rupees three thousand only) to the respondent, within a Period of two weeks from the date of receipt of copy of this order.

On Production of part of payment, Registry is directed to number the appeal.

sd/-
07/03/2018

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

TO

- 1 THE SECRETARY, (SCHOOL EDUCATION DEPARTMENT),
TAMIL NADU GOVERNMENT, SECRETARIAT, CHENNAI-600 009.
- 2 THE TAMILNADU SCHOOL EDUCATION DIRECTOR,
(HIGHER EDUCATION),
O/O.SCHOOL EDUCATION DIRECTORATE, CHENNAI-600 006.
- 3 THE CHIEF EDUCATION OFFICER
O/O.CHIEF EDUCATION OFFICE,
TIRUNELVELI, TIRNELVELI DISTRICT.
- 4 THE HEAD MASTER
GOVERNMENT HIGHER SECONDARY SCHOOL,
SENTDAMARAM POST, TIRNELVELI DISTRICT.

Copy to

THE SECTION OFFICER, JUDICIAL SECTION
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CMP(MD) No.7305 of 2017 IN
WA(MD) No.SR30036 of 2017
Date :07/03/2018