



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

Friday, the Third day of August Two Thousand Eighteen

PRESENT

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

CMP(MD) No.3685 of 2018
IN
REV.APLC(MD) No.SR14458 of 2018

- 1 THE STATE OF TAMILNADU,
REP. BY ITS SECRETARY,
SCHOOL EDUCATION DEPARTMENT,
FORT ST.GEORGE, CHENNAI- 600 009.
- 2 THE DIRECTOR OF SCHOOL EDUCATION,
COLLEGE ROAD, NUNGAMBAKKAM,
CHENNAI- 600 006.
- 3 THE JOINT DIRECTOR OF SCHOOL EDUCATION,
HIGHER EDUCATION, COLLEGE ROAD,
NUNGAMBAKKAM, CHENNAI- 600 006.
- 4 THE CHIEF EDUCATIONAL OFFICER,
NAGERCOIL, KANAYAKUMARI DISTRICT.
- 5 THE DISTRICT EDUCATIONAL OFFICER,
NAGERCOIL, KANAYAKUMARI DISTRICT. ... PETITIONERS/ PETITIONERS

Vs

- 1 S. SUNDAR
- 2 THE CORPORATE MANAGER,
C.S.I. DIOCESE, NAGERCOIL,
KANAYAKUMARI DISTRICT. ... RESPONDENTS/ RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 298 days in filing the above review petition filed as against the order passed in W.A.(MD).No.120 of 2015 dated 20.04.2017 on the file of the Hon'ble Court.



PRAYER IN REV.APLC(MD) No.SR14458 of 2018:

To review the order passed in WA(MD)No.120 of 2015 dated 20.04.2017.

PRAYER in WA(MD)No.120 of 2015: Writ Appeal is filed under Clause 15 of Letters Patent Act against the order dated 21.02.2014 in W.P. (MD) .No.2853 of 2010.

Prayer in WP(MD) . 2853/ 2010 :

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 pertaining to the impugned order passed by the 3rd Respondent in Na.Ka.No.116635/V1/E3/09, dated 07-01-2010, quash the same, and direct the 3rd Respondent to approve the petitioner service from the date of his appointment ie., 23-03-1998.

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.A.K.BASKARA PANDIAN, Special Government Pleader for the petitioners and of Mr.R.NANDHA KUMAR, Advocate for R1, the court made the following order:-

(Order of the Court was made by **T.S.Sivagnanam, J.**)

Heard Mr.A.K.Baskara Pandian, learned Special Government Pleader for the petitioners and Mr.R.Nandha Kumar, learned counsel for the first respondent/writ petitioner.

2.This civil miscellaneous petition has been filed to condone the delay of 298 days in filing the above review application filed as against the order passed in Writ Appeal (MD) No.120 of 2015 dated 20.04.2017.

3.We have gone through the facts of the case and the averments made in the affidavit filed by the fourth petitioner in support of this condone delay petition. The affidavit contains five paragraphs of which, paragraph 4 alone purports to deal with the aspects relating to delay. The petitioners accept that they have received the copy of the judgment on 12.05.2017 and would state that they have sent it to the higher officials for administrative purposes. The papers got mixed up with other files and has been traced only in the 2nd week of March, 2018.



4. We find that these averments are absolutely vague, bereft of particulars and unsubstantiated. Furthermore, the delay is more than 200 days and the delay having not been properly explained, we are not inclined to condone the delay of 298 days in filing the review application.

5. Accordingly, the civil miscellaneous petition stands dismissed. Consequently, the review application is rejected at the SR stage itself.

sd/-
03/08/2018

/ TRUE COPY /

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

TO

- 1 THE SECRETARY,
THE STATE OF TAMILNADU,
SCHOOL EDUCATION DEPARTMENT,
FORT ST. GEORGE, CHENNAI- 600 009.
- 2 THE DIRECTOR OF SCHOOL EDUCATION,
COLLEGE ROAD, NUNGAMBAKKAM,
CHENNAI- 600 006.
- 3 THE JOINT DIRECTOR OF SCHOOL EDUCATION,
HIGHER EDUCATION, COLLEGE ROAD,
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- 4 THE CHIEF EDUCATIONAL OFFICER,
NAGERCOIL, KANAYAKUMARI DISTRICT.
- 5 THE DISTRICT EDUCATIONAL OFFICER,
NAGERCOIL, KANAYAKUMARI DISTRICT.

ORDER IN
CMP(MD) No.3685 of 2018 IN
REV.APLC(MD) No.SR14458 of 2018
Date :03/08/2018

JM/VR-MMS/SAR-2/01.10.2018/3P.6C