



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

C.M.P.(MD).No.3719 of 2018

IN

W.A.[MD].(SR)No.15080 of 2018

Suvignanatheepam

: Petitioner/Appellant

Vs.

1. The Government of Tamil Nadu,
Rep by its Secretary,
School Education Department,
Fort.St.George, Chennai 600 009.
2. The Director of Elementary Education,
College Road, Chennai 6.
3. The District Elementary Educational Officer,
Tirunelveli District, Tirunelveli.
4. The Correspondent,
STC Branch Middle School,
Ambasamuthiram, Tirunelveli District.

: Respondents/Respondents

Prayer in C.M.P(MD)No.3719 of 2018:- Petition filed under Section 5 of the Limitation Act, to condone the delay of 2272 days in filing Writ Appeal against the order dated 20.12.2011 made in W.P (MD).No.13018 of 2011.

Prayer in W.A.[MD].(SR)No.15080 of 2018:- Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 20.12.2011 made in W.P(MD).No.13018 of 2011, on the file of this Court.

Prayer in WP(MD). 13018/ 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 refix the salary of the petitioner in the post of Middle School Headmistress, Special Grade by taking into account the service rendered by the Petitioner as Secondary Grade Teacher prior to 01.06.88.

For Petitioner

: Mr.G.Prabhu Rajadurai

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

For Respondents 1to3

: Mrs.S.Srimathy

Special Government Pleader

**ORDER**

[Order of the Court was made by M.M.SUNDRESH, J.]

Seeking to condone the delay of 2272 days in filing Writ Appeal, the petitioner has come forward with the present Civil Miscellaneous Petition.

2. We do not find any merit in this Civil Miscellaneous Petition. The enormous delay of 2272 days has not been properly explained. Furthermore, the order has worked itself out. The respondent authorities had already passed orders rejecting the request of the petitioner. The Civil Miscellaneous Petition is, therefore dismissed. Consequently, W.A.(MD)(SR).No.15080 of 2018 shall stand rejected. It is always open to the petitioner to challenge the said order passed by the respondent authorities, if so advised. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Government of Tamil Nadu,
Rep by its Secretary,
School Education Department,
Fort.St.George, Chennai 600 009.
2. The Director of Elementary Education,
College Road, Chennai 6.
3. The District Elementary Educational Officer,
Tirunelveli District, Tirunelveli.

+1cc to Mr.G.Prabhu Rajadurai, Advocate SR.No.78363

+1cc to Mrs.S.Srimathy, Advocate SR.No.78109

NB

MK/RP/SAR 3/27.08.2018/2P/6C

ORDER MADE IN

C.M.P. (MD) .No.3719 of 2018

IN

W.A. [MD] . (SR)No.15080 of 2018

10.08.2018