



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

Thursday, the Fifteenth day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice K.K.SASIDHARAN
and
The Hon`ble Mr.Justice P.D.AUDIKESSAVALU

CMP(MD) Nos.7387 and 7388 of 2018
IN
WA(MD) Nos.SR30531 and SR30542 of 2018

1 THE STATE OF TAMIL NADU
BY ITS SECRETARY TO GOVT.
EDUCATION DEPARTMENT FORT ST. GEORGE,
CHENNAI-9

2 DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD, CHENNAI-6

3 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
TIRUNELVELI-2. ... PETITIONERS/APELLANTS
IN BOTH PETITIONS

Vs

T.NANCY ANGELIN ... RESPONDENT/RESPONDENT
IN CMP(MD) No.7387 of 2018

DEVANESAM,
SEVEN DOLOURS PRIMARY SCHOOL,
PALAYAMKOTTAI,
TIRUNELVELI DISTRICT. ...RESPONDENT/RESPONDENT
IN CMP(MD) No.7388 of 2018

Prayer in CMP(MD) . 7387/ 2018 :

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 861 days in filing the above appeal filed as against the order dated 15.2.2016 in W.P(MD) No.5488 of 2008 on the file of this Honourable Court and pass such other or further orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

Prayer in CMP(MD) . 7388/ 2018 :

To condone the delay of 861 days in filing the above appeal filed as against the order dated 15.2.2016 in W.P(MD) No.5489 of 2008 on the file of this Honourable Court and pass such other or



further orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

Prayer in (MD)SR.NOs.30531/2018 in CMP(MD). 7387/ 2018

Set aside the order dated 15.02.2016 in W.P.(MD)NO.5488 of 2008 and to pass such other or further orders.

Prayer in (MD)SR.NOs.30542/2018 in CMP(MD). 7388/ 2018 :

Set aside the order dated 15.02.2016 in W.P.(MD)NO.5489 of 2008 and to pass such other or further orders.

Prayer in WP(MD). 5488/ 2008 :

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 of the respondents in Na.Ka.No. 3674/A2/07 dated 28/08/2007 and quash the same and direct the respondents to regularize the service of the petitioner as Secondary Grade Teacher from the date of appontment (05/06/1973) by paying the all consequential benefits and other benefits and thus render justice.

Prayer in WP(MD). 5489/ 2008 :

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 of the respondents in Na.Ka.No. 3674/A2/07 dated 28/08/2007 and quash the same and direct the respondents to regularize the service of the petitioner as Secondary Grade Teacher from the date of appontment (05/06/1973) by paying the all consequential benefits and other benefits and thus render justice.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mrs.S.SRIMATHY, Special Government Pleader in both petitions and of Mr.P.SANTHOSHKUMAR, Advocate for the respondents in both petitions, the court made the following order:-

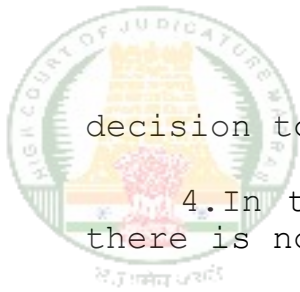
COMMON ORDER

[Common Order of the Court was made by **K.K.SASIDHARAN, J.**]

These petitions have been filed to condone the delay of 861 days in filing appeals against the orders dated 15.02.2016 in W.P. [MD]Nos.5488 & 5489 of 2008.

2. There is absolutely no reason, much less justifiable reason, projected by the petitioners for condoning the delay. It is true that length of delay is not material. However, at least, minimum reasons should be given by the petitioners for condoning the delay.

3. The affidavits are bereft of details as to when the certified copies of the orders were forwarded to the Government and Government Pleader and as to when the Government has taken administrative



decision to file appeals.

4. In the absence of all these reasons, we are of the view that there is no case made out by the petitioners to condone the delay.

5. The Civil Miscellaneous Petitions are dismissed.

sd/-
15/11/2018

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

TO

- 1 THE SECRETARY TO GOVERNMENT,
THE STATE OF TAMIL NADU
EDUCATION DEPARTMENT FORT ST. GEORGE,
CHENNAI-9
- 2 DIRECTOR OF ELEMENTARY
EDUCATION COLLEGE ROAD, CHENNAI-6
- 3 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
TIRUNELVELI-2.

PS/JC/SAR-4/24.12.2018/2P/4C

ORDER
IN
CMP (MD) No.7387 and 7388 of 2018
IN
WA (MD) Nos.SR30531 and SR30542 of 2018
Date :15/11/2018