



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 18.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

CMP(MD)Nos.11041 and 11042 of 2018
in
W.A(MD)SR Nos.23982 and 23985 of 2018

1.The Secretary to Government,
Higher Education Department
Fort St. George,
Chennai - 0.

2.The Director of College Education,
College Road,
Chennai - 6. .. Petitioners in both petitions/Appellants

Vs.

G.S.Mohanavalli .. Respondent CMP(MD)No.11041/2018/Respondent
A.Vanchinathan .. Respondent CMP(MD)No.11042/2018/Respondent

PRAYER: Petitions filed under Section 5 of the Limitation Act to condone the delay of 1451 days in filing the Writ Appeals against the order dated 05.06.2014 made in WP(MD)Nos.14682 and 14683 of 2012.

COMMON PRAYER IN W.A(MD)SR Nos.23982 and 23985 of 2018;

Writ Appeal filed under clause 15 of Letter patent, praying to set aside the orders of dated 05.06.2014 made in WP(MD)No.14682/2012 and WP(MD)No.14683/2012.

COMMON PRAYER IN WP(MD)No.14682/2012 and WP(MD)No.14683/2012:

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for records of the impugned proceedings in G.O. Ms. No. 212/F2 Higher Education Department dated 02.11.2012 on the file of the 1st respondent and quash the same and consequently direct the respondents to appoint the petitioners as college librarian under the UGC norms with retrospective effect along with all time scale of benefits applicable to the said post.

For Petitioners

: Mr.D.Muruganantham
Additional Public Prosecutor

For Respondents

: Mr.T.Amjadkhan
for M/s.APN Law Associates
in both petitions.



COMMON ORDER

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

These Miscellaneous Petitions are filed to condone the delay of 1451 days in filing the Appeals challenging the common order dated 05.06.2014 in WP(MD)Nos.14682 and 14683 of 2012.

2.The deponent in the affidavits filed in support of the respective Miscellaneous Petitions submitted that the copy of the order dated 05.06.2014 was received on 17.06.2014. Thereafter, a request was made to the Government Pleader to offer his opinion with regard to possibility of filing appeals by letter dated 08.08.2017. There is no reason as to why the matter was kept pending for two years even to send a letter to the Government Pleader for opinion. There is no valid explanation for the delay between the period from 17.06.2014 to 08.08.2017. The matter was kept in a cold storage by the petitioners. It was only on 08.08.2017 they woke up from slumber and sent a letter to the Government Pleader for furnishing opinion. Even thereafter, there is a considerable delay. There was no attempt made by the petitioners to explain the delay with reasons.

3.We are therefore of the view that the petitioners have not made out a case to condone the delay.

4.In the result, the Miscellaneous Petitions are dismissed. Consequently, W.A(MD)SR Nos.23982 and 23985 of 2018 are rejected.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-I)

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- 1 CC TO M/s.APN Law Associates, ADVOCATE IN SR No. 100862.
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