



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

Friday, the Thirtieth day of November Two Thousand Eighteen

WEB COPY

PRESENT

The Hon`ble Mr.Justice T.S.SIVAGNANAM
and
The Hon`ble Mrs.Justice R.THARANI

CMP(MD) No.9668 of 2018
IN
REV.APLC(MD) No.SR41441 of 2018

1 THE SECRETARY TO GOVERNMENT,
EDUCATION DEPARTMENT, FORT ST. GEORGE,
CHENNAI.

2 THE DIRECTORATE OF SCHOOL EDUCATION,
DPI CAMPUS, COLLEGE ROAD, CHENNAI.

3 THE STATE PROJECT DIRECTOR,
TEACHERS RECRUITMENT BOARD,
CHENNAI - 6.

... PETITIONERS/REVIEW APPLICANTS/
APPELLANTS

Vs

1 S.MARY SHERLY

2 THE ACCOUNTANT GENERAL,
D.M.S., NANDANAM, CHENNAI.

... RESPONDENTS/RESPONDENTS/
RESPONDENTS

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 123 days in filing this review application against the order dated 14.03.2018 in W.A.(MD) No. 370 of 2018 and thus render justice.

PRAYER IN REV.APLC(MD) No.SR41441 of 2018

To review the order dated 14.03.2018 made in W.A.(MD) No. 370 of 2018 on the file of this Hon'ble Court and thus render justice.

Prayer in WA(MD). 370/ 2018 :

This Appeal is filed under Clause 15 of the Letters Patent, to set aside the order dated 09.01.2013 in W.P(MD) No.3308 of 2007 on the file of this Honourable Court

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

Prayer in WP(MD) No. 3308/ 2017 :

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 treat the petitioner as an employee covered under Tamil Nadu Pension rules 1978 prior to its amendment dated 01.04.2003.

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.V.SRIMATHI, Special Government Pleader, Advocate for the petitioners, the court made the following order:-

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

Heard M/s.V.Srimathi, learned Special Government Pleader for the petitioners.

2. This civil miscellaneous petition has been filed to condone the delay of 123 days in filing the above review application.

3. The explanation offered is far from being satisfactory. Therefore, we would be justified in dismissing the petition and also imposing costs. However, since the learned Special Government Pleader vehemently contended and sought to canvass the merits of the matter, we have heard the learned counsel and perused the records.

4. We find that the review petitioners are attempting to re-argue the appeal. This is evident from the fact that the memorandum of grounds of writ appeal and the memorandum of grounds of review application are identical.

5. Thus, we find that there are no justifiable reasons to condone the delay, nor the petitioners have made out a case for review. Hence, this civil miscellaneous petition is dismissed. Accordingly, the review application is rejected at the SR stage itself.

sd/-
30/11/2018

/ TRUE COPY /

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

TO

1 THE SECRETARY TO GOVERNMENT,
EDUCATION DEPARTMENT, FORT ST. GEORGE,
CHENNAI.

2 THE DIRECTORATE OF SCHOOL EDUCATION,
DPI CAMPUS, COLLEGE ROAD, CHENNAI.



3 THE STATE PROJECT DIRECTOR,
TEACHERS RECRUITMENT BOARD,
CHENNAI - 6.

WEB COPY

ORDER

IN

CMP (MD) No.9668 of 2018

IN

REV.APLC (MD) No.SR41441 of 2018

Date :30/11/2018

MSI/JC/SAR-III/03.01.2019-3P/4C