



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

Wednesday, the Twenty Ninth day of July Two Thousand Twenty

PRESENT

The Hon'ble Mr.Justice M.SATHYANARAYANAN
and
The Hon'ble Mr.Justice P.RAJAMANICKAM

CMP(MD) No.709 of 2020
IN
WA(MD)SR.No.2857 of 2020

1 THE CHIEF EDUCATIONAL OFFICER,
THANJAVUR.

2 THE DISTRICT EDUCATIONAL OFFICER,
THANJAVUR.

... PETITIONERS/APPELLANTS

Vs

THE CORRESPONDENT
SACRED HEART GIRL'S HIGHER SECONDARY SCHOOL,
THANJAVUR, THANJAVUR DISTRICT.

... RESPONDENT/RESPONDENT

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 563 days in filing Writ Appeal and thus render justice.

Prayer in WA(MD)SR.No.2857 of 2020:

Pleased to set aside the order dated 28.03.2018 made in WP(MD) No.4336 of 2018 and allow the writ appeal.

Prayer in WP(MD)No.4336/2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue Writ of Mandamus directing the 2nd respondent District Educational Officer to approve forthwith the appointment of S.Jacqueline as PG Assistant English in the petitioner's school w.e.f. (*)01.06.2016 and disburse the grant-in-aid towards her salary and allowance w.e.f. the said date. (*)Prayer amended vide Court Order dt.28/03/18 in WMP(MD)No.6273/18)



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 for the petitioners, the court made the following order:-

(Order of the Court was made by M.SATHYANARAYANAN,J.)

Heard the learned Special Government Pleader appearing for the petitioners/appellants/official respondents and perused the affidavit, especially paragraph No.8 of the affidavit filed in support of this petition.

2. This petition is strongly opposed by the learned Counsel appearing for the respondent/writ petitioner by submitting that the delay is more than one year and add and in the absence of any acceptable reasons, such huge delay cannot be condoned and prays for dismissal.

3. This Court, has considered the rival submissions and also perused the materials and is inclined to condone the delay by putting the petitioners on terms.

4. In result, this Civil Miscellaneous Petition is ordered and the petitioners are jointly directed to pay a sum of Rs.7,500/- (Rupees Seven Thousand and Five Hundred only) to "The Additional Registrar General i/c, [The Registrar (Judicial)], Madurai Bench of Madras High Court, Madurai" within a period of two weeks from today and shall file a memo to that effect through e-mail to the Registry.

5. The Registry, on receipt of such Memo, shall number the Writ Appeal, if the papers are otherwise in order and list the same for admission and at the time of admission, print the name of Mr.K.Ragatheesh Kumar for M/s Isaac Chambers, learned Counsel for the respondent.

sd/-
29/07/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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



- 1 THE CHIEF EDUCATIONAL OFFICER,
THANJAVUR.
- 2 THE DISTRICT EDUCATIONAL OFFICER,
THANJAVUR.

COPY TO:-

THE ADDITIONAL REGISTRAR GENERAL I/C,
[THE REGISTRAR (JUDICIAL)],
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.709 of 2020 in
WA(MD) SR.No.2857 of 2020
Date :29/07/2020

SSL
TE/SKN/SAR-III : 03/08/2020 : 3P/4C