



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Thursday, the Sixth day of February Two Thousand Twenty

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PRESENT

The Hon`ble Mr.Justice M.DURAI SWAMY

and

The Hon`ble Mr.Justice T.RAVINDRAN

CMP(MD) No.857 of 2020

in

WA(MD)SR.No.4076 of 2020

1.THE GOVERNMENT OF TAMIL NADU,
REP BY ITS SECRETARY,
MUNICIPAL ADMINISTRATION AND WATER,
FORT SAINT GEORGE, CHENNAI.

2.THE DISTRICT COLLECTOR,
THOOTHUKUDI DISTRICT.

3.THE EXECUTIVE OFFICER,
TOWN PANCHAYAT, SRIVAICKUNTAM,
THOOTHUKUDI - 628601.

... PETITIONERS/APELLANTS

Vs

K.MAALAI

... 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 203 days in filing WA(MD)SR.No.4076 of 2020 against the order dated 03.06.2019 passed in WP(MD)No.806 of 2013, on the file of this Hon'ble Court.

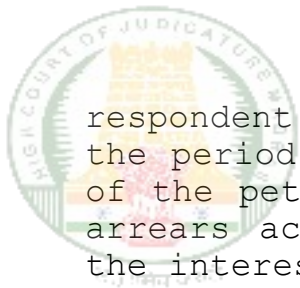
PRAYER IN WA(MD)SR.No.4076 of 2020:

Pleased to set aside the judgment dated 03.06.2019 in WP(MD) No.806 of 2013 on the file of this Hon'ble Court.

PRAYER IN WP(MD)No.806 of 2013:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings of the impugned order in Na.Ka.No.150/2010 dated 27.08.2010 on the file of the third respondent and quash the same and further directing the third

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respondent to 5% Special pay recovered by the third respondent for the period 01.09.1998 to 31.12.2006 and further revising the salary of the petitioner by considering the 5% Special pay and to pay the arrears accrued and further directing the third respondent to pay the interest on the Provident Fund disbursed to the petitioner.

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.K.CHELLAPANDIAN, Additional Advocate General, assisted by Mr.V.R.SHANMUGANATHAN, Special Government Pleader for the petitioners and of Mr.G.PRABHU RAJADURAI, Advocate on behalf of the Respondent, the court made the following order:-

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

There is a delay of 203 days in filing the Writ Appeal.

2.The learned counsel appearing for the respondent has no serious objection for condoning the delay.

3.Though the petitioners have explained the reasons for the delay in paragraph No.4 of the affidavit filed in support of the petition, since the delay is on the higher side, we are of the view that the same can be condoned on payment of costs.

4.Accordingly, the delay of 203 days in preferring the above appeal is condoned on condition that the petitioners paying a sum of Rs.1,000/- (Rupees One Thousand Only) as costs to the respondent. Mr.K.Chellapandian, learned Additional Advocate General appearing for the petitioners submitted that the petitioners would pay the cost amount to the respondent today itself.

5.In the event of the petitioners paying the costs to the respondent on or before 07.02.2020, the petition stands ordered.

sd/-
06/02/2020

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



TO

1. THE SECRETARY,
GOVERNMENT OF TAMIL NADU,
MUNICIPAL ADMINISTRATION AND WATER,
FORT SAINT GEORGE, CHENNAI.

2. THE DISTRICT COLLECTOR,
THOOTHUKUDI DISTRICT.

3. THE EXECUTIVE OFFICER,
TOWN PANCHAYAT, SRIVAİKUNTAM,
THOOTHUKUDI - 628601.

ORDER

IN

CMP (MD) No.857 of 2020
in

WA (MD) SR.No.4076 of 2020

Date : 06/02/2020

ps

TK/PN/SAR.2/06.02.2020/3P/4C