



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

Wednesday, the Eighth 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.3267 of 2020
in
WA(MD) .SR.No.17081 of 2020

DURAI

... APPELLANT/WRIT PETITIONER

Vs

1 THE GOVERNMENT OF TAMIL NADU
REP. BY ITS SECRETARY,
PUBLIC HEALTH AND WELFARE DEPARTMENT,
ST.GEORGE FORT, CHENNAI.

2 THE DIRECTOR OF MEDICAL EDUCATION,
CHENNAI.

3 THE DEAN,
THANJAVUR MEDICAL COLLEGE HOSPITAL,
THANJAVUR.

... 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 345 days in preferring the Writ Appeal in WA.SR.No.17081/2020 against the order in WP(MD)No.12653 of 2009 dated 08.03.2019 on the file of this Honourable Court.

Prayer in WA.SR.No.17081/2020:

To set aside the order made in WP(MD)No.12653 of 2009 dated 08.03.2019 and allow the Writ Appeal.

Prayer in WP(MD). 12653/ 2009 :

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 first respondent in G.O.(T)947 dated 07/08/2008 and quashing the same and direct the first respondent to reinstate the petitioner with all back wages and benefits.



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.MA.KARUNANITHI, Advocate for the petitioner and of MR.V.R.SHANMUGANATHAN, Special Government Pleader on behalf of the Respondents, the court made the following order:-

Heard the submission of Mr.MA.Karunanithi, learned counsel appearing for the petitioner and also Mr.VR.Shanmuganathan, learned Special Government Pleader, who accepts notice on behalf of the respondents.

The petitioner prays for condonation of delay on account of the fact that he is out of service and ailing and is also in financial difficulty. However, taking into consideration the period of delay, we are of the view that the petition may be allowed on terms. Accordingly, the petition is ordered, subject to the condition that the petitioner shall pay a sum of Rs.2000/- (Rupees Two Thousand Only) to the Advocate Clerks Association, Madurai Bench of Madras High Court, within a period of one week from today and file a memo to that effect to the Registry. Registry on receipt of the memo shall number the appeal, if the papers are otherwise in order and list it for admission.

Print the name of Mr.VR.Shanmuganathan, learned Special Government Pleader, for the respondents.

sd/-
08/07/2020

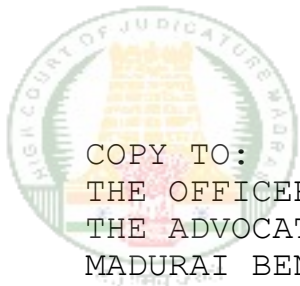
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/ /2020

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

TO

- 1 THE SECRETARY,
GOVERNMENT OF TAMIL NADU
PUBLIC HEALTH AND WELFARE DEPARTMENT,
ST.GEORGE FORT, CHENNAI.
- 2 THE DIRECTOR OF MEDICAL EDUCATION,
CHENNAI.
- 3 THE DEAN,
THANJAVUR MEDICAL COLLEGE HOSPITAL, THANJAVUR.



COPY TO:
THE OFFICER INCHARGE,
THE ADVOCATE CLERKS ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

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ORDER
IN
CMP (MD) No.3267 of 2020
in
WA (MD) .SR.No.17081 of 2020
Date :08/07/2020

SJ/PKN
JM/PN/SAR 3/09.07.2020/3P/5C