



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

Monday, the Tenth day of February Two Thousand Twenty

PRESENT

**The Hon`ble Mr.Justice M.DURAI SWAMY
and
The Hon`ble Mr.Justice T.RAVINDRAN**

CMP(MD) No.5216 of 2019

IN

WA(MD) No.SR20322 of 2019

- 1 THE SECRETARY TO GOVERNMENT
SCHOOL EDUCATION, FORT SAINT GEORGE,
CHENNAI - 600 009.
- 2 THE DIRECTOR OF SCHOOL EDUCATION,
COLLEGE ROAD, CHENNAI - 600 006.
- 3 THE CHIEF EDUCATIONAL OFFICER
PALANI ROAD, SCHOOL EDUCATION COMPOUND,
DINDIGUL DISTRICT, DINDIGUL.
- 4 THE EDUCATION OFFICER
VEDASANDUR EDUCATIONAL DISTRICT,
VEDASANDUR BOYS HIGHER SECONDARY SCHOOL COMPLEX,
VEDASANDUR POST, DINDIGUL DISTRICT.
- 5 THE BLOCK EDUCATIONAL OFFICER
VADAMADURAI EDUCATIONAL BLOCK,
VADAMADURAI POST, VEDASANDUR TALUK,
DINDIGUL TALUK, DINDIGUL DISTRICT.
- 6 THE HEADMASTER
GOVERNMENT HIGH SCHOOL,
THANGAMMAPATTI,
DINDIGUL DISTRICT 624 801 ... PETITIONERS/APELLANTS

Vs

DR.P.KANDHAN,
B.T.ASSISTANT
(ENGLISH), S/O.PERIYASAMY,
GOVERNMENT HIGH SCHOOL,
THANGAMMAPATTI,
DINDIGUL DISTRICT 624 801 ... 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 312 days in filing the above writ appeal and thus render justice.

PRAYER IN WA(MD) No.SR20322 of 2019:

To set aside the order passed by the Hon`ble Court in WP(MD) No.13500 of 2018 dated 26.06.2018 by allowing this writ appeal.

Prayer in WP(MD) . 13500/ 2018 :

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 relating to the impugned proceedings bearing Na.Ka.No.8502/A1/2017 dated 25/05.2018 issued by the 4th respondent herein and quash the same and consequently direct the respondents to sanction the 3rd incentive increment for the petitioner for acquiring the M.Phil., qualification.

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.J.GUNNASEELAN MUTHIAH, Additional Government Pleader for the petitioners and of MR.M.GNANAGURUNATHAN, Advocate on behalf of the Respondent, the court made the following order:-

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

There is a delay of 312 days in filing the first appeal.

2.The learned counsel appearing for the respondent submitted that since the petitioners have not explained the reasons for the delay in a proper manner, the same can be condoned on payment of costs.

3.However, on a perusal of the affidavit filed in support of the petition, we are convinced that the petitioners have explained the reasons for the delay in a proper manner. 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 312 days in preferring the above appeal is condoned on condition that the petitioners paying a sum of Rs.500/- (Rupees Five Hundred Only) as costs to the respondent



within a period of two weeks from the date of receipt of a copy of this order, failing which, the petition shall stand dismissed automatically without further reference to the Court.

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6. Accordingly, the petition is ordered.

sd/-
10/02/2020

/ TRUE COPY /

/ /2020

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

TO

- 1 THE SECRETARY TO GOVERNMENT
SCHOOL EDUCATION, FORT SAINT GEORGE,
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GOVERNMENT HIGH SCHOOL,
THANGAMMAPATTI, DINDIGUL DISTRICT 624 801

ORDER
IN
CMP(MD) No.5216 of 2019
IN
WA(MD) No.SR20322 of 2019
Date :10/02/2020

ps

AE/VR/SAR-III (13.02.2020) 3P 7C