



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

Monday, the Twenty First day of September Two Thousand Twenty

PRESENT

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

CMP(MD) No.4213 of 2020

in

W.A. (MD) SR No.29705 of 2020

- 1 THE STATE OF TAMIL NADU
REP. BY ITS SECRETARY,
DEPARTMENT OF SCHOOL EDUCATION,
FORT.ST.GEORGE, CHENNAI.
- 2 THE DIRECTOR OF SCHOOL EDUCATION,
SCHOOL EDUCATION DEPARTMENT,
COLLEGE ROAD, CHENNAI - 600 006.
- 3 THE JOINT DIRECTOR (VOCATIONAL),
COLLEGE ROAD, CHENNAI - 600 006.
- 4 THE CHIEF EDUCATIONAL OFFICER,
TRICHY, TRICHY DISTRICT.
- 5 THE DISTRICT EDUCATIONAL OFFICER,
TRICHY, TRICHY DISTRICT.

... PETITIONERS/APELLANTS

Vs

THE CORRESPONDENT,
ST.ANNE's GIRLS HIGHER SECONDARY SCHOOL,
MELAPUDUR-620 001,
TRICHY 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 376 days in filing Writ Appeal against the order dated 23.04.2019 in W.P.(MD). No. 7658 of 2017.

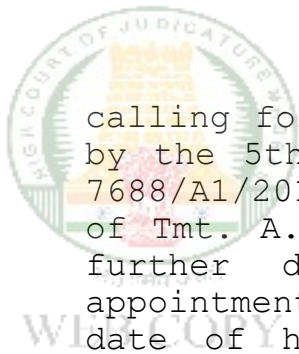
PRAYER IN W.A. (MD) SR No.29705 of 2020:

To set aside the order dated 23.04.2019 in W.P.(MD). No. 7658 of 2017 and allow the Writ Appeal.

Prayer in WP(MD). 7658/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus

<https://hccourtscourts.gov.in/cases/>



calling for the records relating to the impugned proceedings issued by the 5th respondent District Educational Officer in A.Thi.Mu.No. 7688/A1/2015 dated 30.12.2015 refusing approval to the appointment of Tmt. A. Celin Mary as Vocational Instructor, quash the same and further direct respondents herein to approve forthwith the appointment of Tmt. A.Celin Mary as Vocational Instructor w.e.f. the date of her appointment viz., 01.12.2015 with salary and all attendant 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 MRS.S.SRIMATHY, Special Government Pleader for the petitioners and of MR.J.SHABU JOSE, Advocate for M/S.ISAAC CHAMBERS on behalf of the Respondent, the court made the following order:-

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

Heard the submissions of Mrs.S.Srimathy, learned Special Government Pleader appearing for the appellants/respondents and Mr.J.Shabu Jose, for M/s.Isaac Chambers, learned Counsel appearing for the respondent.

2. Though this petition is strongly opposed by the respondent by submitting that in the absence of any tenable explanation, delay of one year cannot be condoned, this Court upon hearing the rival submissions and on going through the affidavit filed in support of this petition, especially, paragraph No.8, is inclined to allow this petition by putting the petitioners on terms.

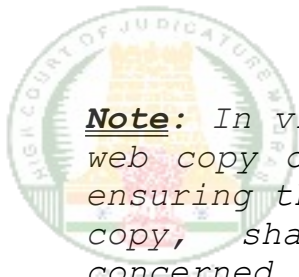
3. In the result, this Civil Miscellaneous Petition is **ordered** and the delay is condoned on condition that the petitioners shall pay a sum of Rs.5,000/- (Rupees Five Thousand only), to "Vidivelli Rural Development Society", Mettukkadai, Kovilpatty (Post), Manaparai Taluk, Tiruchirappalli District - 621305, within a period of three weeks from today and also file a Memo to that effect. On such filing of the Memo, if the papers are otherwise in order, the Registry shall number this appeal and list it for admission.

4. Print the name of Mr.J.Shabu Jose, for M/s.Isaac Chambers, learned Counsel appearing for the respondent.

sd/-
21/09/2020

/ 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.

WEB COPY

TO

- 1 THE SECRETARY,
STATE OF TAMIL NADU
DEPARTMENT OF SCHOOL EDUCATION,
FORT.ST.GEORGE, CHENNAI.
- 2 THE DIRECTOR OF SCHOOL EDUCATION,
SCHOOL EDUCATION DEPARTMENT,
COLLEGE ROAD, CHENNAI - 600 006.
- 3 THE JOINT DIRECTOR (VOCATIONAL),
COLLEGE ROAD, CHENNAI - 600 006.
- 4 THE CHIEF EDUCATIONAL OFFICER,
TRICHY, TRICHY DISTRICT.
- 5 THE DISTRICT EDUCATIONAL OFFICER,
TRICHY, TRICHY DISTRICT.

COPY TO:

THE OFFICER INCHARGE,
VIDIVELLI RURAL DEVELOPMENT SOCIETY,
METTUKKADAI, KOVILPATTY (POST),
MANAPARAI TALUK,
TIRUCHIRAPPALLI DISTRICT-621305.

ORDER

IN

CMP (MD) No.4213 of 2020

in

W.A. (MD) SR No.29705 of 2020

Date :21/09/2020

pkn

JM/PN/SAR II/24.09.2020/3P/7C