



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Twenty Sixth day of November Two Thousand and Twenty

PRESENT

The Hon`ble Mr.Justice R.MAHADEVAN

W.M.P(MD)No.7725 of 2019
in REV.APLW(MD) No.SR.27310 of 2019
and
Cont.P(MD).No.216 of 2019
in WP(MD).No.9677 of 2011

W.M.P(MD)No.7725 of 2019 in REV.APLW(MD) No.SR.27310 of 2019:

- 1 THE SECRETARY TO GOVERNMENT
EDUCATION DEPARTMENT, FORT ST. GEORGE,
CHENNAI - 600 009
- 2 THE DIRECTOR OF ELEMENTARY EDUCATION,
COLLEGE ROAD, CHENNAI - 600 006
- 3 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
VIRUDHUNAGAR DISTRICT
- 4 THE ASSISTANT ELEMENTARY EDUCATION OFFICER,
SRIVILLIPUTTUR. ... PETITIONERS/ APPELLANTS/
RESPONDENTS

Vs

- 1 M.MURUGESHWARI,
- 2 THE SECRETARY
LIONS PRIMARY SCHOOL,
SRIVILLIPUTTUR - 626 125,
VIRUDHUNAGAR DISTRICT. ... RESPONDENTS/ RESPONDENT/
PETITIONERS

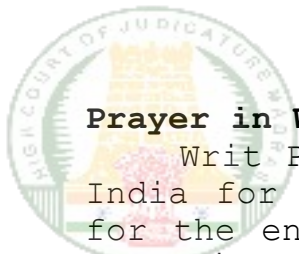
PRAYER IN W.M.P(MD)No.7725 of 2019:

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 1821 days in filing the Review Petition to review the order dated 27.03.2014 made in W.P.(MD).No.9677 of 2011.

PRAYER IN REV.APLW(MD) No.SR.27310 of 2019:

To review the order dated 27.03.2014 passed in WP(MD)No.9677 of 2011 on the file of the Hon'ble court.

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



Prayer in WP(MD) . 9677/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Certiorarified Mandamus to call for the entire records connected with the impugned order passed by the 3rd respondent in Na.Ka.No.5070/Aa2/2005, dated 10.05.2010 and quash the same and direct the respondents to compute the service of the petitioner as Secondary Grade Head Mistress from 25.04.1997 onwards in the 5th respondent school for pensionary and other service benefits and further direct the respondents to disburse the salary arrears for the period from September 2000 to 24.06.2005 in the light of the judgment passed in the case of "The State of Tamil Nadu & Others Vs. Pallivasal Primary School reported in 2004 (2) LW 591.

Cont.P(MD) .No.216 of 2019 in WP(MD) .No.9677 of 2011:

M.MURUGESHWARI

... PETITIONER/ PETITIONER

- VS. -

1. PRADEEP YADAV,
SECRETARY TO THE GOVERNMENT,
EDUCATION DEPARTMENT, FORT ST.GEORGE, CHENNAI.
2. A.KARUPPASAMY
DIRECTOR OF ELEMENTARY EDUCATION, COLLEGE ROAD, CHENNAI-6.
3. SAMPATH KUMAR
DISTRICT EDUCATIONAL OFFICER,
SRIVILLIPUTHUR EDUCATIONAL DISTRICT,
V.K.HIGHER SECONDARY SCHOOL CAMPUS, SRIVILLIPUTHUR.
4. SEENIVASAN
BLOCK DEVELOPMENT OFFICER,
SRIVILLIPUTHUR.

... CONTEMNORS/ RESPONDENTS

Prayer in CONT P(MD) . 216/ 2019 : To punish the contemnors/ respondents for willfully disobeying of the order passed by this Hon'ble Court in WP(MD)No.9677 of 2011 dated 27.03.2014.

ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mrs.S.SRIMATHY, Special Government Pleader for the Petitioners in W.M.P(MD)No.7725 of 2019 in REV.APLW (MD) No.SR.27310 of 2019 and Respondents 1 to 4 in Cont.P(MD) .No.216 of 2019 in WP(MD) .No.9677 of 2011 and MR.K.K.KANNAN, Advocate for the Petitioner in Cont.P(MD) .No.216 of 2019 in WP(MD) .No.9677 of 2011 and 1st Respondent in W.M.P(MD)No.7725 of 2019 in REV.APLW(MD) No.SR.27310 of 2019 and Mr.N.VIJAYARAJAN, Advocate for the 2nd Respondent in W.M.P(MD)No.7725 of 2019 in REV.APLW(MD) No.SR.27310 of 2019, the court made the following order:-



This Miscellaneous Petition has been filed to condone the delay of 1821 days in filing the review petition to review the order dated 27.03.2014 made in W.P. (MD).No.9677 of 2011.

2. The learned Special Government Pleader appearing for the review petitioners submitted that earlier they have filed Writ Appeal in W.A.(MD).No.529 of 2018 before the Division Bench of this Court. This Court, by judgment dated 21.12.2018, granted liberty to the official respondents/appellants herein, to file a review application and the same reads as follows:

"The learned Special Government Pleader seeks permission to withdraw the Writ Appeal with liberty to file a review application.

2. In view of the endorsement so made, the intra Court Appeal is dismissed as withdrawn with such liberty. No costs. Consequently, the connected miscellaneous petition is closed."

3. Since the Division Bench of this Court granted liberty to file a review application and no objection has been endorsed by the other side, the delay of 1821 days in filing the review application is condoned, on condition that the petitioners/appellants, shall pay a sum of Rs.3,000/- (Rupees Three Thousand only) as cost, to the credit of the High Court Legal Services committee, Madurai, within a period of three weeks, failing which, this petition shall stand dismissed automatically without further reference to this Court.

sd/-
26/11/2020

/ TRUE COPY /

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

TO

- 1 THE SECRETARY TO GOVERNMENT
EDUCATION DEPARTMENT, FORT ST. GEORGE,
CHENNAI - 600 009
- 2 THE DIRECTOR OF ELEMENTARY EDUCATION,
COLLEGE ROAD, CHENNAI - 600 006
- 3 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
VIRUDHUNAGAR DISTRICT

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



- 4 THE ASSISTANT ELEMENTARY EDUCATION OFFICER,
SRIVILLIPUTTUR.
- 5 PRADEEP YADAV,
SECRETARY TO THE GOVERNMENT,
EDUCATION DEPARTMENT, FORT ST.GEORGE, CHENNAI.
- 6 A.KARUPPASAMY
DIRECTOR OF ELEMENTARY EDUCATION, COLLEGE ROAD, CHENNAI-6.
- 7 SAMPATH KUMAR
DISTRICT EDUCATIONAL OFFICER,
SRIVILLIPUTHUR EDUCATIONAL DISTRICT,
V.K.HIGHER SECONDARY SCHOOL CAMPUS, SRIVILLIPUTHUR.
- 8 SEENIVASAN
BLOCK DEVELOPMENT OFFICER,
SRIVILLIPUTHUR.

COPY TO:

THE OFFICER INCHARGE,
LEGAL SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER IN
W.M.P(MD)No.7725 of 2019
in REV.APLW(MD) No.SR.27310 of 2019
and
Cont.P(MD).No.216 of 2019
in WP(MD).No.9677 of 2011
Date :26/11/2020

MS/PN/SAR-3/21.12.2020/4P.10C