



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

Thursday, the Twenty Seventh day of August Two Thousand Twenty

PRESENT

**The Hon`ble Mr.Justice M.SATHYANARAYANAN  
and  
The Hon`ble Mr.Justice R.SURESH KUMAR**

**CMP(MD) Nos.9437, 9438 and 9439 of 2019  
IN**

**W.A. (MD) Nos.SR 58470, 58521 and 58527 of 2019**

1 THE DISTRICT ELEMENTRY EDUCATIONAL OFFICER,  
TIRUNELVELI

2 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER,  
RADHAPURAM,  
TIRUNELVELI DISTRICT.

... PETITIONERS/APELLANTS  
IN ALL PETITIONS

Vs

A.HOLLY CROSS BRAISY

... 1<sup>st</sup> RESPONDENT/PETITIONER  
in CMP(MD)No.9437/2019  
in WA(MD)No.SR58470/2019

S.BERNATHATH GLYNES

... 1<sup>st</sup> RESPONDENT/PETITIONER  
in CMP(MD)No.9438/2019  
in WA(MD)No.SR58521/2019

J.ANCILDA

... 1<sup>st</sup> RESPONDENT/PETITIONER  
in CMP(MD)No.9439/2019  
in WA(MD)No.SR58527/2019

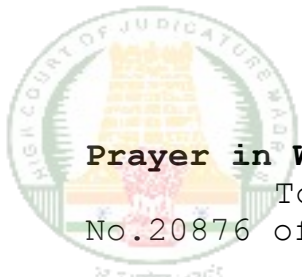
THE CORRESPONDENT,  
ST.THERESA'S PRIMARY SCHOOL,  
KUTHENKULY,  
TIRUNELVELI DISTRICT.

... 2<sup>nd</sup> RESPONDENT/RESPONDENT  
IN ALL CMP PETITIONS

**Prayer in CMP(MD)No.9437/2019 in WA(MD)No.SR58470/2019 :**

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to codone of the delay of 533 days in filing the above Writ Appeal against the order dated 23.01.2018 made in W.P(M) No. 20876 of 2017.

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



**Prayer in WA(MD)No.SR58470/2019 :**

To set aside the order dated 23.01.2018 passed in W.P.(MD) No.20876 of 2017.

**Prayer in WP(MD) . 20876/2017 :**

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 pertaining to the order passed by the 2nd respondent in his proceedings in Aathi.Mu.No.855/A2/2017 dated 19.10.2017 and quash the same and direct the respondents to approve the appointment of the petitioner from the date of appointment i.e. 24.07.2017 with all the consequential benefits.

**Prayer in CMP(MD)No.9438/2019 in WA(MD)No.SR58521/2019 :**

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to codone of the delay of 533 days in filing the above Writ Appeal against the order dated 23.01.2018 made in W.P(M) No. 20877 of 2017.

**Prayer in WA(MD)No.SR58521/2019 :**

To set aside the order dated 23.01.2018 passed in W.P.(MD) No.20877 of 2017.

**Prayer in WP(MD) . 20877/ 2017 :**

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 pertaining to the order passed by the 2nd respondent in his proceedings in Aathi.Mu.No.853/A2/2017 dated 19.10.2017 and quash the same and direct the respondents to approve the appointment of the petitioner from the date of appointment i.e. 24.07.2017 with all the consequential benefits.

**Prayer in CMP(MD)No.9439/2019 in WA(MD)No.SR58527/2019 :**

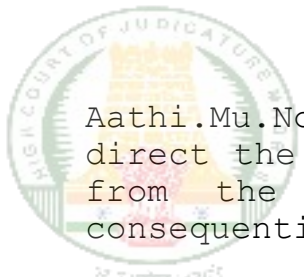
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to codone of the delay of 533 days in filing the above Writ Appeal against the order dated 23.01.2018 made in W.P(M) No. 20878 of 2017.

**Prayer in WA(MD)No.SR58527/2019 :**

To set aside the order dated 23.01.2018 passed in W.P.(MD) No.20878 of 2017

**Prayer in WP(MD) .20878/2017 :**

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 pertaining to the order passed by the 2nd respondent in his proceedings in



Aathi.Mu.No.854/A2/2017 dated 19.10.2017 and quash the same and direct the respondents to approve the appointment of the petitioner from the date of appointment i.e. 24.07.2017 with all the consequential benefits.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of Mrs.S.SRIMATHY, Special Government Pleader on behalf of the petitioners in all the petitions and of MR.V.PANNEER SELVAM, advocate for the 1<sup>st</sup> Respondent in all the petitions, the court made the following order:-

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

Heard the learned Special Government Pleader appearing for the petitioners/appellants and Mr.Paneerselvam, learned Counsel appearing for the first respondent/writ petitioner.

2.Though these petitions have been strongly opposed by the learned counsel for the first respondent/ writ petitioner by stating that the delay is enormous and in the absence of any plausible or proper reasons, the delay cannot be condoned, this Court, taking into consideration the fact that the batch of cases similar in nature being taken up by this Court, is inclined to condone the delay by putting the petitioners on terms.

3. In result, these Civil Miscellaneous Petition are ordered and the petitioners/appellants are jointly directed to pay a sum of Rs.2,000/- (Rupees Two Thousand only) each case to "The Additional Registrar General in-charge Registrar (Judicial) for augmenting E-Court hearing etc., within a period of one (1) week from today and shall file a memo to that effect through e-mail to the Registry and the Registry, on receipt of such Memo, shall number the appeals, if the papers are otherwise in order and list the same for admission and at the time of admission, print the name of Mr.Paneerselvam, learned Counsel for the first respondent/writ petitioner.

sd/-  
27/08/2020

/ 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



TO

1 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,  
TIRUNELVELI

2 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER,  
RADHAPURAM, TIRUNELVELI DISTRICT.

COPY TO:

THE ADDITIONAL REGISTRAR GENERAL IN-CHARGE REGISTRAR (JUDICIAL)  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CMP (MD) Nos.9437, 9438 and 9439 of 2019

IN

W.A. (MD) Nos.SR 58470, 58521 and 58527 of 2019

Date :27/08/2020

RMK

PK/AKM/SAR-3/04.09.2020 : 4P/4C