



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

Friday, the Seventh 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.8098 of 2019

in

WA(MD) SR.NO.58981 of 2019

WEB COPY

- 1 THE STATE OF TAMILNADU
REP. BY ITS SECRETARY TO GOVERNMENT,
SCHOOL EDUCATION DEPARTMENT,
SECRETARIAT, CHENNAI- 600 009.
- 2 THE DIRECTOR OF SCHOOL EDUCATION,
DPI CAMPUS, COLLEGE ROAD, CHENNAI.
- 3 THE CHIEF EDUCATIONAL OFFICER
TIRUNELVELI DISTRICT, TIRUNELVELI. ... PETITIONERS/APELLANTS

Vs

D.VELRAJ

... 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 356 days in filing the Writ Appeal as against the order dated 23.07.2018 made in WP(MD)No.15931 of 2018 on the file of this Honourable High Court.

PRAYER IN WA(MD) SR.NO.58981 of 2019:

To set aside the order dated 23.07.2018 made in WP(MD)No.15931 of 2018 batch cases and allow the writ appeal.

Prayer in WP(MD) . 15931/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents herein to take 50% of service rendered by the petitioner as part time vocational instructors drawing consolidated pay along with regular service for calculating the qualifying service, for the purpose pension and the quantum of pension under Rule 43(2) of the Tamil Nadu Pension Rules by considering petitioners representation dated 09.07.2018.

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, Advocate for the petitioners and of MR.R.RAGAVENDRAN, Advocate on behalf of the Respondent, the court made the following order:-



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

There is a delay of 356 days in filing the Writ Appeal.

2. Though the petitioner has given some reasons for condonation of delay, in the interest of justice, we are of the view that the delay can be condoned on payment of costs. Accordingly, the delay of 356 days in filing the writ appeal is condoned on condition the petitioner paying a sum of Rs.500/- (Rupees Five Hundred only) to the Honourable Chief Justice Relief Fund within a period of two weeks from the date of receipt of a copy of this order, failing which, this petition shall stand dismissed automatically without further reference to this Court.

3. Accordingly, this petition is ordered.

sd/-
07/02/2020

/ TRUE COPY /

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

TO

- 1 THE SECRETARY TO GOVERNMENT,
STATE OF TAMILNADU
SCHOOL EDUCATION DEPARTMENT,
SECRETARIAT, CHENNAI- 600 009.
- 2 THE DIRECTOR OF SCHOOL EDUCATION,
DPI CAMPUS, COLLEGE ROAD, CHENNAI.
- 3 THE CHIEF EDUCATIONAL OFFICER
TIRUNELVELI DISTRICT, TIRUNELVELI.

COPY TO:

THE SECTION OFFICER,
ACCOUNTS SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CMP (MD) No.8098 of 2019
in
WA (MD) SR.NO.58981 of 2019
Date :07/02/2020

SSL

AE/PN/SAR-III (12.02.2020) 2P 5C