



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

Monday, the Third 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.7888 of 2019
IN
WA (MD) SR.No.60602 of 2019

1 THE STATE OF TAMILNADU,
REP. BY ITS SECRETARY,
SCHOOL EDUCATION DEPARTMENT,
FORT ST.GEORGE, CHENNAI-600 009.

2 THE JOINT DIRECTOR (VOCATIONAL) OF SCHOOL EDUCATION,
COLLEGE ROAD, CHENNAI-06.

3 THE DISTRICT EDUCATIONAL OFFICER,
MADURAI DISTRICT,
THALLAKULAM, MADURAI-2.

... PETITIONERS/APELLANTS

Vs

V.MEENAKSHI

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Condone of the delay of 451 days in filing the above Writ Appeal against the order dated 27.04.2018 made in W.P.(MD)No.9960 of 2018 and thus render justice.

Prayer in WA(MD)SR.No.60602 of 2019:

Pleased to set aside the order dated 27.04.2018 made in W.P.(MD)No.9960 of 2018 allow the Writ Appeal.

Prayer in WP(MD)No.9960/2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ or order or direction in the nature of Writ of Mandamus directing the respondents to take the 50% of the part time service rendered by the petitioner ie. from 12/10/1978 to 04/10/1996 along with regular service for the pension benefits i.e for the period of 27 years and



25 days based on the judgment dated 09/04/2014 passed in WP.No.16771 OF 2013.

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.R.SARAVANAN, 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 451 days in filing the writ appeal.

2. The learned Counsel appearing for the respondent submitted that the delay can be condoned on payment of costs.

3. Though the petitioner has given reasons in the affidavit filed in support of this petition, since the delay is on higher side, in the interest of justice, the same can be condoned on payment of costs. Accordingly, the delay of 451 days in filing the writ appeal is condoned on condition the petitioners paying a sum of Rs.1,500/- (Rupees One Thousand and Five Hundred only) to the respondent 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. We also make it clear that the petitioners shall pay the said amount of Rs.1,500/- (Rupees One Thousand and Five Hundred only) within the stipulated time to the learned Counsel appearing for the respondent in this petition.

4. Accordingly, this petition is ordered.

sd/-
03/02/2020

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

TO

1 THE SECRETARY,
STATE OF TAMILNADU,
SCHOOL EDUCATION DEPARTMENT,
FORT ST.GEORGE,
CHENNAI-600 009.



2 THE JOINT DIRECTOR (VOCATIONAL) OF SCHOOL EDUCATION,
COLLEGE ROAD, CHENNAI-06.

3 THE DISTRICT EDUCATIONAL OFFICER,
MADURAI DISTRICT,
THALLAKULAM, MADURAI-2.

ORDER

IN

CMP(MD) No.7888 of 2019 in

WA(MD) SR.No.60602 of 2019

Date :03/02/2020

SSL

TE/VR/SAR-II : 06/02/2020 : 3P/4C