



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

Thursday, the Twelfth day of March Two Thousand and Twenty

WEB COPY

PRESENT

The Hon`ble Mr.Justice S.S.SUNDAR

AND

The Hon`ble Mr.Justice C.SARAVANAN

CMP (MD) . No.4670 of 2017

in

WA (MD) SR.No.28455 OF 2013

L. Lawrence Maria Anthuvan

... Petitioner/Appellant

Vs

- 1 The District Collector,
Collector Office, Cantonment, Trichy-1.
- 2 The Chief Educational Officer,
Parent-Teacher Association Building
Syed Murthusha Higher Secondary School Compound,
Trichy-8.
- 3 The District Educational Officer,
Collector Office Compound, Trichy-1.
- 4 R.C.Higher Secondary School,
Rep.By the Correspondent,
Cantonment Trichy-1.
- 5 R.C.Higher Secondary School,
Rep.By the Headmaster,
Cantonment Trichy-1.
- 6 D.Stanislaus,
Enquiry Officer,
R.C.Higher Secondary School,
Trichy, ... Respondents/Respondents



Prayer IN CMP(MD)No. 4670 OF 2017:-

This petition filed under Order IV Rule 9(4) of A.S.Rules, praying to condone the delay of 1327 days in representing the above WA(MD)SR 28455/2013.

Prayer IN WA(MD)SR No. 28455/2013

This Writ Appeal filed under Clause 15 of Letters Patent Act, praying to set aside the order dated 29.04.2013 passed in W.P (MD)No..No.7331 of 2013 by allowing the Writ Appeal.

Prayer in WP(MD). No.7331 of 2013 :

This Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to call for the records of the impugned second show cause notice issued by the 4th respondent dt.13.4.2013 and quash the same as illegal and consequently direct the 6th respondent not to conduct the enquiry proceedings on the basis of the appointment made by the 4th respondent for conducting domestic enquiry bias and malafide.

ORDER:- This Petition coming upon for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.N.R.Murugesan, Advocate for the Petitioner and of Mr.V.R.Shanmuganathan Special Government pleader For R1 to R3, Mr.K.Ragadees Kumar, Advocate For Issac Chamber, for the respondents 4 & 5, this Court made the following order:

[Order of the Court made by **S.S.SUNDAR, J.**]

This petition is filed to condone the delay of 1327 days in representing the above writ appeal papers.

2.In the affidavit filed in support of this petition, the petitioner has stated some reasons. One of the reasons is that the petitioner was in bed rest for heart ailment and that he is a diabetic patient. The learned Counsel for the petitioner stated that the delay in re-presenting the paper was on account of the death of Advocate Clerk. However, he has not produced any record before this Court to sustain his submission. Though the learned Counsel for the respondents seeks time to file counter, this Court is of the view that this petition can be ordered on terms.

3.Taking into consideration that the delay is enormous and that the delay could have been avoided by the petitioner, this petition is allowed on condition that the petitioner pay a sum of Rs.5,000/- to the Legal Services Authority attached to this Bench within a period of two weeks from the date of receipt of a copy of this order, which, this petition shall automatically be dismissed



without further reference to Court. Registry is directed to number the above appeal, if the papers are otherwise in order, after showing proof for payment.

Sd/-

Assistant Registrar(CS)

WEB COPY // True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

1. The District Collector,
Collector Office, Cantonment, Trichy-1.
2. The Chief Educational Officer,
Parent-Teacher Association Building,
Syed Murthusha Higher Secondary School Compound,
Trichy-8.
3. The District Educational Officer,
Collector Office Compound Trichy-1.
4. The Special Govt. Pleader,
Madurai Bench of Madras High Court, Madurai

Copy to

- 1.The Officer Incharge,
Legal Services Authority,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 12/03/2020

=====
ORDER
=====

CMP (MD) .No.4670 of 2017
in
WA (MD NO.SR.28455 OF 2013

Giving direction and etc.
as stated within.

ac (CO)
TR (08.06.2020) 3P 6C