



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Wednesday, the Ninth day of September Two Thousand and Twenty

PRESENT

The Hon'ble Mr.Justice M.SATHYANARAYANAN
and
The Hon'ble Mr.Justice P.RAJAMANICKAM

CMP(MD) No.11014 of 2019
in
WA(MD) SR No.79334 of 2019

1. THE DIRECTOR OF ELEMENTARY EDUCATION,
DIRECTORATE OF ELEMENTARY EDUCATION,
COLLEGE ROAD, CHENNAI.
 2. THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
NAGERCOIL,
KANYAKUMARI DISTRICT.
- ...PETITIONERS/APELLANTS

Vs

P.SATHASIVAM NADAR

...RESPONDENT/RESPONDENT

Prayer in CMP(MD) . 11014/ 2019 :

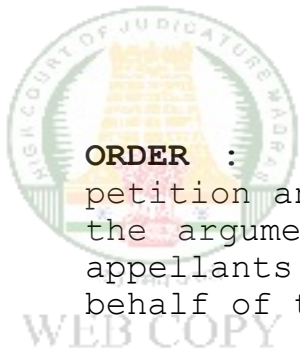
Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 963 days in filing the Writ Appeal against the order dated 23.02.2017 made in WP(MD) No.6827 of 2008 on the file of this Hon'ble Court.

Prayer in WA(MD) SR No.79334 of 2019 :

To set aside the order dated 23-02-2017 passed in WP(MD) No.6827 of 2008 and allowing the writ appeal.

Prayer in WP(MD) . 6827 of 2008 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the 1st respondent dated 23.4.2008 made in Na.Ka.No.10050/A2/08 to quash the same and consequently directing the respondents to confer selection grade in the cadre of Assistant treating the selection grade period of Junior Assistant with all consequent and other attendant benefits.



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.SRIMATHY, Special Government Pleader for the appellants and none appeared either in person or an advocate on behalf of the respondent, the court made the following order:-

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

Heard the submissions of Mrs.Srimathy, learned Special Government Pleader, appearing for the appellants/petitioners.

2. Though the respondent has been served and his name appears in the cause list, there is no representation on his behalf. This Court, has perused the paragraph No.12 of the affidavit filed in support of this petition and taking into consideration the facts and circumstances, especially, the delay of nearly three years would like to put the petitioners/appellants/official respondents on terms.

3. In the result, this Civil Miscellaneous Petition is **ordered** and the delay of 963 days is condoned on condition that the petitioners/appellants/official respondents shall jointly pay a sum of Rs.10,000/- (Rupees Ten Thousand only), to "Anbagam", Race Course Road, Madurai 625-002, within a period of two weeks from today and also file a memo to that effect.

4. On such filing of the Memo, if the papers are otherwise in order, the Registry shall number this appeal and list it for admission.

sd/-
09/09/2020

/ 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 concerned.



TO

1. THE DIRECTOR OF ELEMENTARY EDUCATION,
DIRECTORATE OF ELEMENTARY EDUCATION,
COLLEGE ROAD, CHENNAI.
2. THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
NAGERCOIL,
KANYAKUMARI DISTRICT.

COPY TO:

THE OFFICER INCHARGE,
"ANBAGAM", RACE COURSE ROAD,
MADURAI- 625 002.

ORDER
IN
CMP(MD) No.11014 of 2019 in
WA(MD) SR No.79334 of 2019
Date :09/09/2020

PKN
SRS/ PN/ SAR-IV/ 14.09.2020/ 3P/4C