



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

Wednesday, the Ninth day of September Two Thousand Twenty

PRESENT

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

CMP(MD) No.11642 of 2019
in
W.A(MD).SR.No.81171 of 2019

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

2 THE JOINT DIRECTOR OF SCHOOL EDUCATION,
COLLEGE ROAD, CHENNAI- 006.

3 THE CHIEF EDUCATIONAL OFFICER,
KANYAKUMARI DISTRICT, NAGERCOIL-001.

4 THE DISTRICT EDUCATIONAL OFFICER,
THUCKALAY, KANYAKUMARI DISTRICT.

...PETITIONERS/ APPELLANTS

Vs

1 P.B.VINODH

2 THE SECRETARY,
DEVASWOM HIGHER SECONDARY SCHOOL,
MONDAIKADU- 252,
KANYAKUMARI DISTRICT.

... RESPONDENTS/ RESPONDENTS

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 395, days in filing the Writ Appeal against the order dated 03.08.2018 made in W.P.(MD) No.17168 of 2018 on the file of this Hon'ble Court.

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.S.XAVIER RAJINI, Advocate for R1 and Mr.H.THAYUMANASWAMY, Advocate for R2, the court made the following order:-

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



(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, Mr.S.Xavier Rajini, learned Counsel appearing for the first respondent and Mr.H.Thayumanaswamy, learned Counsel appearing for the second respondent.

2. Though this petition is strongly opposed by the learned Counsel appearing for the respondents, this Court, on going through the affidavit filed in support of this petition, especially, paragraph No.20, is inclined to allow this petition by putting the petitioners on terms.

3. In the result, this Civil Miscellaneous Petition is **ordered** and the delay of 395 days is condoned on condition that the petitioners shall pay a sum of Rs.3,000/- (Rupees Three Thousand only), to the Additional Registrar General i/c [The Registrar (Judicial)], Madurai Bench of Madras High Court, for the improvement of amenities etc., of this Court, within a period of two weeks from today and also file a memo to that effect. On such filing of the Memo, if the papers are otherwise in order, the Registry shall number this appeal and list it for admission.

4. Print the name of Mr.S.Xavier Rajini, learned Counsel appearing for the first respondent and Mr.H.Thayumanaswamy, learned Counsel appearing for the second respondent.

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

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



2 THE JOINT DIRECTOR OF SCHOOL EDUCATION,
COLLEGE ROAD, CHENNAI- 006.

3 THE CHIEF EDUCATIONAL OFFICER,
KANYAKUMARI DISTRICT, NAGERCOIL-001.

4 THE DISTRICT EDUCATIONAL OFFICER,
THUCKALAY, KANYAKUMARI DISTRICT.

COPY TO:

THE ADDITIONAL REGISTRAR GENERAL I/C
[THE REGISTRAR (JUDICIAL)],
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CMP(MD) No.11642 of 2019 IN
W.A(MD).SR.No.81171 of 2019

Date :09/09/2020

MS/VR/SAR-2/14.09.2020/3P.6C