



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

Friday, the Seventh day of August Two Thousand Twenty

PRESENT

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

C.M.P (MD) No.12493 of 2019

in

W.A(MD) SR.No.87076 of 2019

- 1.THE DIRECTOR OF ELEMENTARY EDUCATION,
COLLEGE ROAD, CHENNAI-600 006.
- 2 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
TUTICORIN, TUTICORIN DISTRICT.
- 3 THE ADDITIONAL ASSISTANT ELEMENTARY EDUCATIONAL OFFICER,
SATHANKULAM UNION,
TUTICORIN DISTRICT. ... PETITIONERS/APELLANTS

Vs

THE CORRESPONDENT
ST.JOSEPHS GIRLS PRIMARY SCHOOL,
SOKKANKUDIYIRUPPU,
TUTICORIN DISTRICT-628 704. ... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 246 days in filing the above writ appeal as against the order dated 12.03.2019 in WP(MD)No.3633 of 2017, on the file of this Honourable Court.

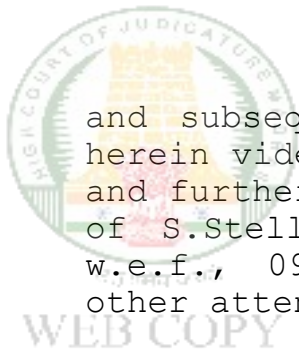
PRAYER IN W.A(MD) SR.No.87076 of 2019:

To set aside the order dated 12.03.2019 in WP(MD)No.3633 of 2017 and allow the Writ Appeal and thus render justice.

Prayer in WP(MD) . 3633/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned staff Fixation fixed by the 2nd respondent herein for the academic year 2015-2016 vide proceedings No. Nil dated 24.02.2016

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



and subsequent impugned proceedings issued by the 3rd respondent herein vide A.Thi.Mu.No. 28/A1/2017 dated 27.01.2017, Quash the same and further direct the respondents herein to approve the appointment of S.Stella as Secondary Grade Teacher in the petitioner-school w.e.f., 09.01.2017 and disburse grant-in-aid towards salary 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.S.SRIMATHY, Special Government Pleader for the petitioners and of the Respondent not appeared either in person or by an advocate, the court made the following order:-

[Order of the Court was made by **M. SATHYANARAYANAN, J.,**]

This Court heard the submissions of Mrs.S.Srimathy, learned Special Government Pleader appearing for the petitioners.

2. Though notice has been served and their name appears in the cause-list, there is no representation on behalf of the respondent.

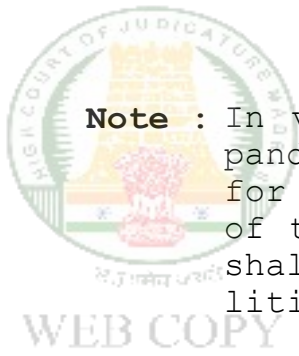
3. This Court has perused the affidavit filed in support of this petition and the delay appears to be administrative in nature and hence, the delay in filing the above writ appal can be condoned by putting the petitioners on terms.

4. In the result, this civil miscellaneous petition is ordered subject to the condition that the petitioners shall jointly pay a sum of Rs.2,000/- (Rupees Two Thousand only) to the Madurai Advocate Clerks Association (Regn. No.117/92), District Court Campus, Madurai - 625 020, within a period of two weeks from today and the learned counsel appearing for the petitioners also undertakes to file a memo through e-mail to the address of the Registry. The Registry on receipt of the said memo, shall number the writ appeal, if the papers are otherwise in order and list it for admission and print the name of Mr.A.Ajith Geethan, learned counsel who appeared for the respondent / writ petitioner.

sd/-
07/08/2020

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/ /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,
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- 2 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
TUTICORIN, TUTICORIN DISTRICT.
- 3 THE ADDITIONAL ASSISTANT ELEMENTARY EDUCATIONAL OFFICER,
SATHANKULAM UNION,
TUTICORIN DISTRICT.

COPY TO:

THE MADURAI ADVOCATE CLERKS ASSOCIATION
(REGN. NO.117/92),
DISTRICT COURT CAMPUS, MADURAI - 625 020

ORDER
IN
CMP(MD) No.12493 of 2019
in
W.A(MD)SR.No.87076 of 2019
Date :07/08/2020

pm
AE/JC/SAR-II (13.08.2020) 3P 5C