



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

Friday, the Seventeenth day of September Two Thousand and Twenty One

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PRESENT

The Hon`ble Mr.Justice T.S.SIVAGNANAM
and
The Hon`ble Mrs.Justice R.THARANI

CMP (MD) No.6692 of 2021
IN
REV.APLC.(MD)SR No.16321 of 2021

- 1 THE DIRECTOR OF ELEMENTARY SCHOOL EDUCATION,
D.P.I.CAMPUS, COLLEGE ROAD,
CHENNAI.
- 2 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
TIRUNELVELI DISTRICT,
TIRUNELVELI.
- 3 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER,
KALAKKAD RANGE, TIRUNELVELI DISTRICT,
TIRUNELVELI. ... PETITIONERS/REVIEW APPLICANTS/APPELLANTS

Vs

- 1 S. ZIPPORAH
- 2 THE CORRESPONDENT,
T.D.T.A. MIDDLE SCHOOL,
KEELACHADAIYAMANKULAM,
TIRUNELVELI DISTRICT. ... RESPONDENTS/RESPONDENTS/RESPONDENTS

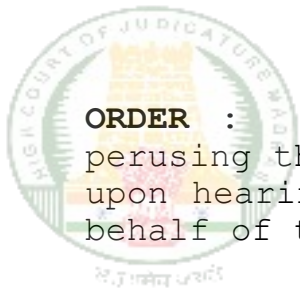
Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay 705 days in filing the review application against the impugned order dated 20.03.2018 passed in W.A.(MD)No.462/2018.

PRAYER IN REV.APLC.(MD)SR No.16321 of 2021:

To review the order dated 20.03.2018 passed in W.A(MD) No.462/2018 on the file of the Honourable High Court and set aside the same.

Prayer in WA(MD). 462/ 2018 :

Writ Appeal filed under Clause 15 of Letters patent, against the order passed by this court dated 30.11.2016 in W.P.(MD).No.22842 of 2016 for the following among other grounds.



ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.B.SARAVANAN, Government Counsel on behalf of the Petitioners, the court made the following order:-

(Order of the Court was made by T.S.Sivagnanam, J.)

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This Civil Miscellaneous Petition has been filed to condone the delay of 705 days in filing the above Review Application.

2.We have perused the affidavit filed in support of the condone delay petition. Though the affidavit is an eight page affidavit, the averments in paragraphs 2 to 12 pertain to the merits of the matter. In paragraph 13, the review applicants stated that they sought for opinion from the Special Government Pleader whether a Review Application can be filed and the learned Special Government Pleader opined that it is not a fit case for filing Review. Thereafter, the applicants would state that because of the surplus issue and the order of stay granted with regard to the approval, the Department has preferred the Review Application. Firstly, no particulars have been given as to what occasioned the inordinate delay of 705 days in filing the Review Application. Further, even going by the averments in paragraph 13 of the affidavit, certain subsequent events are cited to support the decision to file a Review Application. Any subsequent event cannot be a ground to review the judgment.

3.Since the applicants have not been able to show sufficient cause for condonation of the delay, we are not inclined to entertain the Civil Miscellaneous Petition and accordingly, the petition is dismissed. Consequently, the Review Application stands rejected in the SR Stage itself. No costs.

sd/-

17/09/2021

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

TO

1 THE DIRECTOR OF ELEMENTARY SCHOOL EDUCATION,
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CHENNAI.

2 THE DISTRICT ELEMENTARY EDUCATIONAL OFFICER,
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TIRUNELVELI.



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3 THE ASSISTANT ELEMENTARY EDUCATIONAL OFFICER,
KALAKKAD RANGE, TIRUNELVELI DISTRICT,
TIRUNELVELI.

ORDER

IN

CMP (MD) No.6692 of 2021

IN

REV.APLC.(MD)SR No.16321 of 2021

Date :17/09/2021

SA/PN/SAR.1/24.09.2021/3P/4C