



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

C.M.P. (MD) No.1486 of 2018

in REV.APLC. (MD) No.SR. 5419 of 2018

WEB COPY

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Animal Husbandry Department,
Fort St. George, Chennai - 600 009.

2.The Director,
Animal Husbandry Department,
Teynampet, Chennai - 600 005.

3.The Joint Director,
Animal Husbandry Department,
Nagercoil,
Kanyakumari District.

... Petitioners in
Miscellaneous Petition and
Review Application

Vs.

C.Sukumaran

... Respondent in
Miscellaneous Petition and
Review Application

Prayer in C.M.P. (MD) No.1486 of 2018: Civil Miscellaneous Petition filed under Section 5 of Limitation Act, praying for condoning the delay of 229 days in filing the Review Application as against the order dated 20.04.2017 in M.P.(MD) No.1 of 2015 in W.A.(MD) No.SR 40650 of 2014.

Prayer in REV.APLC. (MD) SR.No.5419 of 2018: Review Application filed under Order 47 Rules 1 and 2 read with Section 114 of Code of Civil Procedure, 1908, praying to review the order passed in M.P.(MD) No.1 of 2015 in W.A.(MD) No.SR 40650 of 2014, dated 20.04.2017

Prayer in MP(MD).No.1 of 2015 in WA(MD).sr40650 of 2014:

To condone the delay of 749 days in filing the WA(MD) SR.No.40650 of 2014 against the order passed, dated 20.06.2012 made in W.P.(MD)No.8259 of 2012 of justice.

Prayer in WA(MD) SR 40690 of 2014

Filed against the order dated 20.06.2012 made in WP(MD).



Prayer in WP(MD). 8259/ 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF MANDAMUS, directing the Respondents 1 to 3 herein to regularize the service of the Petitioner as "Full Time Artificial Inseminator (Seyarkai Murai Karuvottalar)" on completion of ten years of Part-time services from 29-06-1990 and to pay time scale of pay and other monetary benefits payable from 29-06-2000 within a stipulated time as fixed by this Court.

For Petitioners in C.M.P. : Mr.S.R.A.Ramachandhiran
and Rev.Aplc. SR. Additional Government Pleader

For Respondent in C.M.P. : Mr.S.Bharathy Kannan
and Rev.Aplc. SR.

COMMON ORDER

(Order of the Court was made by PUSHPA SATHYANARAYANA,J.)

C.M.P.(MD) No.1486 of 2018 has been filed to condone the delay of 229 days in filing the Review Application as against the order dated 20.04.2017 in M.P.(MD) No.1 of 2015 in W.A.(MD) No.SR 40650 of 2014.

2.Heard Mr.S.R.A.Ramachandhiran, learned Additional Government Pleader, appearing for the petitioners and Mr.S.Bharathy Kannan, learned counsel for the respondent.

3.The Review Application itself is filed against the order rejecting the delay petition in filing the Writ Appeal and there is a delay of 229 in filing the Review Application and the reasons assigned is not acceptable. Hence, this Court is not inclined to condone the delay.

4.In view of the above, C.M.P.(MD) No.1486 of 2018 is dismissed. Consequently, REV. APLC. (MD) No.SR 5419 of 2018 is rejected. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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 to Government,
Animal Husbandry Department,
State of Tamil Nadu,
Fort St. George, Chennai - 600 009.

2.The Director,
Animal Husbandry Department,
Teynampet, Chennai - 600 005.

3.The Joint Director,
Animal Husbandry Department,
Nagercoil,
Kanyakumari District.

+1 CC to M/s.S.BHARATHY KANNAN, Advocate (SR-37678[F] dated 07/12/2021)

+1 CC to M/s.SPL GP (SR-37604[F] dated 07/12/2021)

C.M.P. (MD) No.1486 of 2018
in REV.APLC. (MD) No.SR. 5419 of 2018
06.12.2021

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