



WEB COPY

W.M.P(MD)Nos.23285 and 23299 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2021

CORAM :

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM**

**AND**

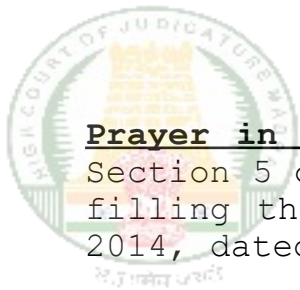
**THE HONOURABLE MRS.JUSTICE R.THARANI**

**W.M.P(MD)Nos.23285 and 23299 of 2019**

**in**

**Rev.Aplw(MD).SR.Nos.70371 and 70375 of 2019**

- 1.The State of Tamil Nadu  
Rep. by its Secretary,  
Department of School Education,  
Fort St.George, Chennai 9.
  - 2.The Director of Elementary Education,  
College Road, Chennai 600 006.
  - 3.The District Elementary Educational Officer,  
Tuticorin District.
  - 4.The Additional Assistant Elementary Educational Officer,  
Alwarthirunagari Union at Thenthiruperai,  
Tuticorin District.
- ... Petitioners/ Appellants  
/ Respondents in both petitions  
Vs.
1. S.Koilraj John  
... 1<sup>st</sup> Respondent / 1<sup>st</sup> Respondent  
/ Petitioner
  - 2.The Correspondent  
TNDTA Primary School,  
Manalmedu - 628 623,  
Tuticorin District.  
... 2<sup>nd</sup> Respondent/5<sup>th</sup> Respondent  
/ 5<sup>th</sup> respondent in W.M.P. (MD)  
No.23285 of 2019
  1. S.Santhana Marian,  
... 1<sup>st</sup> Respondent / 1<sup>st</sup> Respondent  
/ Petitioner
  - 2.The Correspondent  
Barathi Primary School,  
Elamaikulam,  
Alwarthirunagari Union,  
Tuticorin District.  
... 2<sup>nd</sup> Respondent/5<sup>th</sup> Respondent  
/ 5<sup>th</sup> respondent in W.M.P. (MD)  
No.23299 of 2019



**Prayer in W.M.P. (MD)No.23285 of 2019:** This petition is filed under Section 5 of the Limitation Act, to condone the delay of 531 days in filling the Review Application in the Writ Petition (MD)No.3398 of 2014, dated 19.03.2018.

**Prayer in W.M.P. (MD)No.23299 of 2019:** This petition is filed under Section 5 of the Limitation Act, to condone the delay of 531 days in filling the Review Application in the Writ Petition (MD)No.3399 of 2014, dated 19.03.2018.

**Prayer in Rev.Aplw(MD).SR.No.70371 of 2019:** Review Application is filed under Order 47 Rule 1 and 2 r/w. Section 114 of the Code of Civil Procedure, to review the order, dated 19.03.2018 made in W.P. (MD)No.3398 of 2014.

**Prayer in Rev.Aplw(MD).SR.No.70375 of 2019 :** Review Application is filed under Order 47 Rule 1 and 2 r/w. Section 114 of the Code of Civil Procedure, to review the order, dated 19.03.2018 made in W.P. (MD)No.3399 of 2014.

(In both petitions)

For Petitioners : Mr.A.K.Manickam  
Government Counsel  
For Respondents : Mr.Ajith Geethan

**COMMON ORDER**

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

We have heard Mr.A.K.Manickam, the learned Government Counsel for the petitioners and Mr.Ajith Geethan, learned counsel for the respondents.

2.These Petitions have been filed to condone the delay of 531 days in filing the Review Applications.

3.On perusal of the affidavits filed in support of the condone delay petitions, we find that there is absolutely no satisfactory explanation given for the inordinate delay.

4. Further more, we have briefly heard the learned Government Counsel, on the merits of the matter and we find that the grounds raised by the review petitioners in these review petitions were not canvassed in the Writ Petitions. That apart, in the decision of the Hon'ble Full Bench, several Aided School Teachers are parties and they have been granted benefits. That apart, the learned counsel for the respondents / writ petitioners has also pointed out that G.O. (Ms).No.1381, Education Department, dated 05.10.1990, does not make any distinction with regard to the award of Selection Grade and Special Grade services Head Masters of Primary Schools and it covers such



Head Masters under all Management. Therefore, we decline to excise the discretion in the matter and dismiss these petitions. Accordingly, these Miscellaneous Petitions are dismissed. Consequently, the connected Rev.Aplw(MD).SR.Nos.70371 and 70375 of 2019 are rejected at the S.R. Stage itself. No costs.

WEB COPY

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ls/akv

**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,  
State of Tamil Nadu  
Department of School Education,  
Fort St.George, Chennai 9.
- 2.The Director of Elementary Education,  
College Road, Chennai 600 006.
- 3.The District Elementary Educational Officer,  
Tuticorin District.
- 4.The Additional Assistant Elementary Educational Officer,  
Alwarthirunagari Union at Thenthiruperai,  
Tuticorin District.

Copy to

The Sub Assitant Registrar, Writ A.E.Section,  
Madurai Bench of Madras High Court,  
Madurai

W.M.P (MD) Nos.23285 and 23299 of 2019  
in  
Rev.Aplw(MD) .SR.Nos.70371 and 70375 of 2019  
09.07.2021

LS (CO)

KB(20.07.2021) 3P 6C