



WEB COPY



W.M.P.No.5537 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.07.2023

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.M.P.No.5537 of 2023

in

Rev.Aplw.SR.No.24258 of 2023

1.The Secretary to Government,
School Education Department,
Fort St. George,
Chennai – 600 009.

2.The Director of School Education,
CollegeRoad, Nungambakkam,
Chennai – 600 006.

3.The District Elementary Educational Officer,
Nagapattinam,
Nagapattinam District.

4.The Additional Assistant Elementary Educational Officer,
Vedaranyam, Vedaranyam Taluk,
Nagapattinam District.

.. Petitioners
(in both cases)

Vs.

1.N.Vennila

2.The Secretary and Correspondent,
Mahatma Gandhi Aided Middle School,
Ayakkaranpulam-II, Vedaranyam Taluk,
Nagapattinam District.

.. Respondents
(in both cases)



W.M.P.No.5537 of 2023

Prayer: W.M.P.No.5537 of 2023 is filed under Article 226 of the Constitution of India, praying to condone the delay of 2148 days in filing the Review Application against the order dated 09.12.2016 in W.P.No.42997 of 2016.

Rev.Aplw.SR.No.24258 of 2023 is filed under Order XLVII Rule 1 of CPC to review the order dated 09.12.2016 made in W.P.No.42997 of 2016.

(In both cases)

For Petitioners : Mr.M.Rajendran,
Additional Government Pleader
for State Government Pleader

For Respondents : Mr.V.Kasinatha Bharathi

ORDER

After the present Contempt Petition in Cont.P.No.1258 of 2022 was filed by the 1st respondent, the petitioners have filed Writ Appeal with delay before the Hon'ble Division Bench of this Court.

2.It appears that the Hon'ble Division Bench of this Court has so far not condoned the delay in filing the Writ Appeal. Therefore, now the petitioners have come out by way of application in W.M.P.No.5537 of



2023 to condone the delay of 2148 days in filing the review application against the order dated 09.12.2016 passed in W.P.No.42997 of 2016.

3. There is no merits in the application filed for condoning the delay, particularly when the order was passed on 09.12.2016, followed by an order in Cont.P.No.1050 of 2017, which came to be disposed on 10.11.2017.

4. In fact, the Court was mild in not punishing the concerned Officer at that time. Thereafter, the Writ Petitioner has filed second Contempt Petition in Cont.P.No.1163 of 2018, which also had given the respondent / review applicant an opportunity to comply with the order. Despite the same, order dated 09.12.2016 has not been complied till date.

5. The present Review Application filed to condone the delay of 2148 days is therefore liable to be dismissed with cost as the attempt of the review applicant is to prevaricate the orders of this Court.

6. Therefore, this Miscellaneous Petition is liable to be dismissed. The petitioner is directed to pay a sum of Rs.500/- (Rupees Five Hundred



W.M.P.No.5537 of 2023

Only) to the '**High Court Legal Services Authority, Chennai**' within a period of one week from the date of receipt of a copy of this order. The certified copy of this order shall be issued only after the petitioner reports compliance of the said payment within the specified time. Rev.Aplw.SR.No.24258 of 2023 is rejected at the SR stage itself.

13.07.2023

($\frac{1}{2}$)

krk

Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No



WEB COPY



W.M.P.No.5537 of 2023

C.SARAVANAN, J.

krk

W.M.P.No.5537 of 2023 in
Rev.Aplw.SR.No.24258 of 2023

13.07.2023

($\frac{1}{2}$)