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CMP. Nos. 13052 and 13095 of 2023

in

W.A. Nos.SR 81022 & 81021 of 2022

R. MAHADEVAN, J.

and

MOHAMMED SHAFFIQ, J.

(Order of the court was made by R.Mahadevan, J.)

These civil miscellaneous petitions have been filed by the petitioners seeking to condone the delay of 2043 days in filing the above writ appeals.

2.Heard the learned counsel for the petitioners and perused the affidavits filed in support of these petitions, wherein, it has been stated that the order has been passed in WP.No.12297 of 2010 on 21.09.2017 and the copy of the same was received by the third petitioner during November, 2017. On receipt of the same, the 3rd petitioner addressed a letter to the first petitioner during December 2017 seeking further action taken in this regard. In the mean while, the Government issued G.O.Ms.No.101, School Education Department dated 18.05.2018 restructuring administrative set up at the field level and delegation of power to officers to ensure effective monitoring of schools and quality of education. It is further submitted that in view of public board examinations conducted for SSLC, 11th and 12th standards, paper valuation and result publication work, the staff of the subordinate offices under the control of the petitioners, were deputed to attend the same and hence, further action could not



be persuaded during June 2019 and June 2022. During the interregnum period, due to covid 19 pandemic situation, the petitioners were unable to take any action. Consequent to all these factors, there is a delay of 2043 days occurred in filing the appeals, which is neither wilful nor wanton and hence, the delay may be condoned, otherwise, the petitioners would be put to irreparable loss and hardship.

3. Having regard to the reasons stated by the petitioners, which appear to be *bona fide*, considering the huge delay in filing the appeals, the delay is condoned on condition that the petitioners shall pay a sum of Rs.3,000/- in each petition to the credit of the Tamil Nadu Mediation and Conciliation Centre, High Court, Madras, within a period of two weeks from the date of receipt of a copy of this order.

4. Upon production of receipt for payment of costs, both these civil miscellaneous petitions stand ordered.

[R.M.D,J.] [M.S.Q, J.]

10.10.2023

Internet : Yes

Neutral Citation : Yes/No

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