



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

Tuesday, the Fourteenth day of February Two Thousand and
Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR
and

The Hon`ble Mrs.Justice L. VICTORIA GOWRI

C.M.P. (MD) No.1580 of 2023

in

W.A. (MD) SR.No.4440 of 2023

1 THE SECRETARY,
HIGHER EDUCATION DEPARTMENT,
THE GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI.

2 THE COMMISSIONER,
TECHNICAL EDUCATION DEPARTMENT,
CHENNAI.

... PETITIONERS/APPELLANTS

Vs

A. MALAICHAMY

... RESPONDENT/ RESPONDENT

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 of 266 days in filing the Writ Appeal against the order dated 30.03.2022 in W.P. (MD). NO. 15572 of 2022 and thus render justice.

PRAYER IN W.A. (MD) SR.No.4440 of 2023:

To set aside the order passed in WP(MD) No.15572 of 2017 dated 30.03.2022 and allow this Writ Appeal.

Prayer in WP(MD). 15572/ 2017 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified mandamus direction in the nature of writ called for the records of the 1st respondent in his proceedings letter (D) No.83, dated 27.03.2017 and quash and consequently direct the respondents to regularize the services of the petitioner as HELPER from the date of his initial appointment from 1995 with consequential service and monetary benefits and to absorb him in regular establishment and pass such further.

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 M/S.D.SADIQ RAJA, Special Government Pleader in fact for the petitioner and of M/S.R.DEEPAK, Advodate on behalf of the Respondent the court made the following order:-



[Order of the Court was made by **D.KRISHNAKUMAR, J.**]

This Civil Miscellaneous Petition is filed to condone the delay of 266 days in filing the above Writ Appeal.

2. Though the reasons stated in the accompanying affidavit are not satisfied and the learned counsel for the respondent has no serious objection, the delay of 266 days in filing the above appeal is condoned on payment of costs of Rs.2,000/- (Rupees Two Thousand only) to the Madurai Advocate Clerks Association (Regn. No.117/92), District Court Campus, Madurai - 625 020. Accordingly, this petition is allowed.

3. Registry is directed to number the Writ Appeal, if the papers are otherwise in order and post the Writ Appeal 'for Admission' in the usual course.

sd/-

14/02/2023

/ TRUE COPY /

/02/2023

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

myr

TO

1 THE SECRETARY,
HIGHER EDUCATION DEPARTMENT,
THE GOVERNMENT OF TAMIL NADU,
SECRETARIAT, CHENNAI.

2 THE COMMISSIONER,
TECHNICAL EDUCATION DEPARTMENT,
CHENNAI.

COPY TO

THE OFFICER IN CHARGE,
MADURAI ADVOCATE CLERKS ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.F.DEEPAK, Advocate (SR-2385[I] dated 16/02/2023)

ORDER

IN

C.M.P. (MD) No.1580 of 2023
in

W.A. (MD) SR.No.4440 of 2023
Date :14/02/2023