



W.M.P.(MD)No.16908 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.08.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.M.P.(MD)No.16908 of 2023

in

Rev.AplcW(MD)SR.No.60817 of 2023

S.Parameswaran

... Petitioner /
Petitioner

Vs

- 1.The State represented by
The Secretary,
School Education Department,
Fort St.George,
Chennai – 600 009.
- 2.The Director of Public Libraries,
Directorate of Public Libraries,
No.737/1, Anna Salai,
Chennai – 600 002.
- 3.K.Elambahavath
*(R.3 is deleted from the array of parties
vide Court order dated 01.02.2022)*
- 4.The Secretary / District Library Officer,
Office of Local Library Authority,
Uzhavarsanthai Road,
Theni – 625 531.

... Respondents/
Respondents



W.M.P.(MD)No.16908 of 2023

Prayer in W.M.P(MD)No.16908 of 2023: This Writ Miscellaneous Petition is filed under Section 5 of Limitation Act, to condone the delay of 82 days in filing the Review Application against the order dated 26.04.2023 in W.P(MD)No.27240 of 2022.

Prayer in Rev.ApplW(MD)SR.No.60817 of 2023: This Review Application is filed under Rule 114 of C.P.C and Order XLVII Rule 1 & 2 of C.P.C, to review the order passed in W.P(MD)No.27240 of 2022 dated 26.04.2023 on the file of this Court.

For Petitioner : Mr.M.Sathya Moorthy

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Additional Government Pleader appearing for the respondents.

2. The petitioner challenged the proceedings issued by the Director of Public Libraries, Chennai whereby he was promoted as Grade 2 Librarian and transferred. Challenging the same, W.P(MD)No.27240 of 2022 was filed. Since the petitioner had expressed his unwillingness to be promoted and wanted to continue in the very same place as Grade 3 Librarian, I set aside the order insofar as the petitioner was concerned and allowed the writ petition. Seeking to review the same, the present review application has been filed.



W.M.P.(MD)No.16908 of 2023

3. I would not say that the petitioner had filed the petition with inordinate delay. But still I am not inclined to allow this petition only for the reason that after hearing the learned counsel on merits, I am not satisfied that the order passed by me suffers from any error apparent on the face of the record.

4. The learned counsel appearing for the petitioner apprehends that the rejection of the contention as regards the maintenance of the District Level Seniority may affect the rights of the petitioner in other proceedings. The petitioner need not have any such apprehension. As and when the other cases filed by the petitioner had taken up for consideration, they will be disposed of on merits and in accordance with law. The present order will not come in the way of the petitioner from establishing his rights.

5. With this observation, this petition is dismissed and consequently, Rev.ApplcW(MD)SR.No.60817 of 2023 is also rejected at the SR stage itself.

25.08.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA



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G.R.SWAMINATHAN, J.

MGA

To

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