



WMP(MD) No.16852 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)
Tuesday, the Twenty Ninth day of August Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice BATTU DEVANAND
WMP(MD) No.16852 of 2023
IN
WP(MD) No.12421 of 2018

WMP(MD).16852/2023 :

1 THE GOVERNMENT OF TAMIL NADU
REP.BY ITS SECRETARY,
SCHOOL EDUCATION DEPARTMENT,
FORT ST GEORGE, CHENNAI 9

2 THE DIRECTOR OF SCHOOL EDUCATION,
DPI CAMPUS, COLLEGE ROAD,
CHENNAI 600 006.

3 THE JOINT DIRECTOR OF SCHOOL EDUCATION (SECONDARY)
DPI CAMPUS, COLLEGE ROAD,
CHENNAI 600 006.

4 THE CHIEF EDUCATIONAL OFFICER
THENI, THENI DISTRICT.

5 THE DISTRICT EDUCATIONAL
OFFICER, UTHAMAPALAYAM,
THENI DISTRICT.

... PETITIONERS/RESPONDENTS 1 TO 5

Vs

1 NADAR HIGHER SECONDARY SCHOOL
REP.BY ITS EDUCATIONAL AGENCY REPRESENTATIVE,
M.V.C.SURIYAN

... 1ST RESPONDENT/PETITIONER



WMP(MD) No.16852 of 2023

2 THE HEAD MASTER
NADIR HIGHER SECONDARY SCHOOL,
BAZAR STREET, THIRUMALAPURAM,
BODINAYAKANUR,
THENI DISTRICT.

... 2ND RESPONDENT/6TH RESPONDENT

Writ Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to grant leave to the petitioners to file counter affidavit in the writ petition in WP(MD) 12421/2018.

WP(MD).12421/2018 :

NADAR HIGHER SECONDARY SCHOOL
REP.BY ITS EDUCATIONAL AGENCY
M.V.C.SURIYAN

... PETITIONER

VS

1 THE GOVERNMENT OF TAMIL NADU
REP.BY ITS SECRETARY,
SCHOOL EDUCATION DEPARTMENT,
FORT ST GEORGE, CHENNAI 9

2 THE DIRECTOR OF SCHOOL EDUCATION,
DPI CAMPUS, COLLEGE ROAD,
CHENNAI 600 006.

3 THE JOINT DIRECTOR OF SCHOOL EDUCATION (SECONDARY)
DPI CAMPUS, COLLEGE ROAD,
CHENNAI 600 006.

4 THE CHIEF EDUCATIONAL OFFICER
THENI, THENI DISTRICT.

5 THE DISTRICT EDUCATIONAL
OFFICER, UTHAMAPALAYAM,
THENI DISTRICT.

<https://www.mhc.tn.gov.in/judis>



WMP(MD) No.16852 of 2023

6 THE HEAD MASTER
NADIR HIGHER SECONDARY SCHOOL,
BAZAR STREET, THIRUMALAPURAM,
BODINAYAKANUR,
THENI DISTRICT.

... RESPONDENTS

Prayer in WP(MD). 12421/ 2018 :

To issue a Writ of Certiorarified Mandamus to call for the records on the file of the 2nd respondent pertaining to its order bearing Na.Ka.No.56610/D1/E4/2017 dated 22.08.2017 and the consequential order of deployment of the 4th respondent in Na.Ka.No.4249 A5/2017 dated 04.10.2017 in so far as declaring 1 B.T.Assistant teacher along with post (Tamil) as surplus in the petitioner's school.

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 MR.A.KANNA, Additional Government Pleader for the petitioners in WMP(MD). 16852/2023 and for the Respondent Nos.1 to 5 in WP(MD).12421/2018 and MR.S.C.HEROLD SINGH, Advocate for the petitioner in WP(MD).12421/2018 and for the 1st Respondent in WMP(MD).16852/2023, the court made the following order:-

This petition is filed seeking to grant leave to file counter affidavit in the writ petition.

2. As the counter is filed beyond the period stipulated in Rule 24(2) of the Madras High Court Writ Rules and there is abnormal delay in filing the same, this leave petition is allowed on condition of payment of costs of Rs.5,000/- (Rupees Five Thousand only) to be paid by the petitioners to Rojavanam, Old Age Home, Melur Road, Uthangudi, Madurai, within a period of one week from today and file proof of payment of costs before this Court by 12.09.2023. The costs to be paid by the petitioners be recovered from the officers (whether they are in service or retired from



WMP(MD) No.16852 of 2023

the service) responsible for the delay in filing the counter-affidavit.

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sd/-

29/08/2023

/ TRUE COPY /

/08/2023

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

abr

TO

1 THE SECRETARY,
GOVERNMENT OF TAMIL NADU
SCHOOL EDUCATION DEPARTMENT,
FORT ST GEORGE, CHENNAI 9

2 THE DIRECTOR OF SCHOOL EDUCATION,
DPI CAMPUS, COLLEGE ROAD,
CHENNAI 600 006.

3 THE JOINT DIRECTOR OF SCHOOL EDUCATION (SECONDARY)
DPI CAMPUS, COLLEGE ROAD,
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4 THE CHIEF EDUCATIONAL OFFICER
THENI, THENI DISTRICT.

5 THE DISTRICT EDUCATIONAL
OFFICER, UTHAMAPALAYAM,
THENI DISTRICT.



WMP(MD) No.16852 of 2023

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THE OFFICER INCHARGE
ROJAVANAM, OLD AGE HOME,
MELUR ROAD,
UTHANGUDI, MADURAI.

ORDER IN
WMP(MD) No.16852 of 2023
IN
WP(MD) No.12421 of 2018
Date :29/08/2023

RS/DD/SAR-(31.08.2023) 5P 7C
Madurai Bench of Madras High Court is issuing
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