



WMP(MD) No.17090 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Monday, the Twenty Eighth day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice BATTU DEVANAND

WMP(MD) No.17090 of 2023

IN

WP(MD) No.12188 of 2018

WMP(MD).17090/2023 :

1 THE HEADMASTER

GOVERNMENT (BOYS) HIGHER SECONDARY SCHOOL,

Y.OTHAKADAI 625107,

MADURAI DISTRICT.

... 1ST PETITIONER/1ST RESPONDENT

2 THE CHIEF EDUCATIONAL OFFICER

MADURAI - 625 002.

... 2ND PETITIONER/4TH RESPONDENT

Vs

1 G.NATARAJAN

... 1ST RESPONDENT/PETITIONER

2 THE PRINCIPAL ACCOUNTANT GENERAL (A & E),

TAMIL NADU,

CHENNAI - 600 018.

3 THE ACCOUNTS OFFICER(AUDIT)

SCHOOL EDUCATION DEPARTMENT,

MADURAI - 625 002.

... RESPONDENTS 2 & 3/RESPONDENTS 2 & 3

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).No.

12188 of 2018.

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



WMP(MD) No.17090 of 2023

WP(MD).12188/2018 :

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G.NATARAJAN

... PETITIONER

VS

1 THE HEADMASTER
GOVERNMENT (BOYS) HIGHER SECONDARY SCHOOL,
Y.OTHAKADAI 625107,
MADURAI DISTRICT.

2 THE PRINCIPAL ACCOUNTANT GENERAL (A & E),
TAMIL NADU,
CHENNAI - 600 018.

3 THE ACCOUNTS OFFICER(AUDIT)
SCHOOL EDUCATION DEPARTMENT,
MADURAI - 625 002.

4 THE CHIEF EDUCATIONAL OFFICER
MADURAI - 625 002.

... RESPONDENTS

Prayer in WP(MD). 12188/ 2018 :

To issue a Writ of Certiorarified Mandamus calling for the records of the 1st respondent made in proceedings number NIL dated 05.02.2018 and quash the same and direct the respondents to pay interest at the rate of 12% on the belated payment of retiral benefits to the petitioner such as Pension, Commutation of Pension, Death Cum Retirement Gratuity, Encashment of Earned Leave and Unearned Leave Salary from the date when it actually became due till the date of actual settlement within a stipulated period.

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.V.NIRMAL KUMAR, Government Advocate for the petitioners in WMP(MD). 17090/2023 and for the Respondent Nos.1 & 4 in WP(MD).12188/2018 and MR.B.ALAGARSAMY, Advocate for the petitioner in WP(MD).12188/2018 and for the 1st Respondent in WMP(MD).17090/2023, the court made the following order:-



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The petitionis filed seeking to grant leave to the petitioners herein/respondents
1 and 4 to file counter affidavit.

2.Heard and perused the averments made in the accompanying affidavit.

3.As there is an abnormal delay in filing counter affidavit against the time stipulated in Rule 24(2) of Madras High Court Writ rules, actually this Court is not inclined to consider the request of the petitioners herein.

4.Considering the facts and circumstances of the case and for proper adjudication of this case counter is required, in the considered opinion of this Court, this petition can be allowed on certain terms and conditions.

5.Accordingly, the petition is allowed on condition of payment of cost Rs.5,000/- (Rupees five thousand only) to the Women Advocates Association in Madurai Bench of Madras High Court for running the Children's home within a period of one week from today.

6.Post on 04.09.2023.

sd/-
28/08/2023

/ TRUE COPY /

/08/2023

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



WMP(MD) No.17090 of 2023

TO

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1 THE HEADMASTER

GOVERNMENT (BOYS) HIGHER SECONDARY SCHOOL,
Y.OTHAKADAI 625107, MADURAI DISTRICT.

2 THE PRINCIPAL ACCOUNTANT GENERAL (A & E),
TAMIL NADU, CHENNAI - 600 018.

3 THE ACCOUNTS OFFICER(AUDIT)
SCHOOL EDUCATION DEPARTMENT, MADURAI - 625 002.

4 THE CHIEF EDUCATIONAL OFFICER, MADURAI - 625 002.

COPY TO

THE OFFICER INCHARGE,
WOMEN ADVOCATES ASSOCIATION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
(For running the Children's Home)

ORDER IN

WMP(MD) No.17090 of 2023
IN WP(MD) No.12188 of 2018
Date :28/08/2023

RS/DD/SAR-(31.08.2023) 4P 6C

Madurai Bench of Madras High Court is issuing
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