



CMP(MD) No.2054 of 2024

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

Monday, the Twenty Fifth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR
and
The Hon`ble Mr.Justice R.VIJAYAKUMAR

CMP(MD) No.2054 of 2024
in
WA(MD)SR.No.10102 of 2024

1 THE JOINT DIRECTOR OF EMPLOYMENT AND
TRAINING (CT AND AT) ALANDUR ROAD,
GUINDY,
CHENNAI - 600 032.

2 THE COMMISSIONER / DIRECTOR OF EMPLOYMENT AND
TRAINING ALANDUR ROAD,
GUIDY,
CHENNAI - 600 032.

3 THE STATE OF TAMIL NADU REPRESENTED BY ITS,
SECRETARY TO GOVERNMENT, LABOUR AND
EMPLOYMENT DEPARTMENT,
FORT ST.GEORGE, CHENNAI - 600 009. ... PETITIONERS/ APPELLANTS

Vs

THE ROMAN CATHOLIC DIOCESE OF THANJAVUR
ST.XAVIER INDUSTRIAL TRAINING CENTRE,
THANJAVUR, THANJAVUR DISTRICT,
REPRESENTED BY ITS DIOCESAN SECRETARY AND CHANCELLOR,
REV FR.JOHN ZACHARIAS ... RESPONDENT/RESPONDENT



CMP(MD) No.2054 of 2024

Civil Miscellaneous 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 315 days in filing the above writ appeal against order dated 28-02-2023 made in W.P.(MD).No.5751 of 2019 and thus render justice.

PRAYER IN WA(MD)SR.No.10102/2024:

Pleased to set aside the order dated 28.02.2023 passed in WP(MD)No.5751 of 2019 and allow this Writ Appeal.

PRAYER IN WP(MD). 5751/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to pay the maintenance grant at 75% by also calculating 75% of the salary payable to the approved from non teaching staff P.Savarimuthu Junior Assistant/ Store Keeper and S.Flora Mary Office Assistant working in the above approved and sanctioned post from the date of appointment with all benefits and emoluments as per the order of approval including pension in accordance with the order of the Honourable Court in W.P.No.4517 of 2006 dated 19/06/2006 and the Government own decision in Na.Ka.2786/IT2/2016,dated 31/05/2016 in so, far as the petitioners St.Xaviers Industrial Training Centre, Thanjavur,Thanjavur District.

ORDER : This Civil Miscellaneous 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.VEERA KATHIRAVAN, Additional Advocate General Assisted by Mr.S.P.MAHARAJAN, Special Government Pleader on behalf of the Petitioners and of Mr.M.JOSEPH MATHEWS JEROME, Advocate on behalf of the Respondent, the court made the following order:-

(Order of the Court was made by D.KRISHNAKUMAR, J.)

This petition is filed to condone the delay of 315 days in filing the W.A.SR.

(MD)No.10102 of 2024.

2.Even though the learned counsel for the respondent by filing counter

affidavit has strongly objected for condonation of the delay, considering the fact that



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the petitioners / appellants have filed review application along with the petition for condonation of delay and since the same is dismissed, they filed this petition, we are inclined to condone the delay on payment of cost. Therefore, the delay is condoned and this petition is allowed on payment of Rs.5000/- (Rupees Five Thousand Only) to the respondent on or before 27.03.2024. After making such payment, the petitioners / appellants are directed to file cost memo before the Registry on or before 27.03.2024.

3.On receipt of such cost memo from the petitioners, Registry is directed to number the appeal if the papers are otherwise in order and list it for admission on 28.03.2024.

sd/-
25/03/2024

/ TRUE COPY /

27/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

YUVA
TO
1 THE JOINT DIRECTOR OF EMPLOYMENT AND
TRAINING (CT AND AT) ALANDUR ROAD,
GUINDY,
CHENNAI - 600 032.

2 THE COMMISSIONER / DIRECTOR OF EMPLOYMENT AND
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<https://www.mhc.tn.gov.in/judis>



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3 THE SECRETARY TO GOVERNMENT,
STATE OF TAMIL NADU
LABOUR AND EMPLOYMENT DEPARTMENT,
FORT ST.GEORGE, CHENNAI - 600 009.

COPY TO:

1 THE SUB ASSISTANT REGISTRAR
A.E.SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

2 THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CMP(MD) No.2054 of 2024 in
WA(MD)SR.No.10102 of 2024
Date :25/03/2024

SA/VR/SAR. /26.03.2024/4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.