



CMP(MD) No.10455 of 2024

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

Wednesday, the Eighteenth day of September Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN
and
The Hon`ble Mrs.Justice L.VICTORIA GOWRI

CMP(MD) No.10455 of 2024
IN
WA(MD) SR.No.52495 of 2024

1 THE CHIEF EDUCATIONAL OFFICER
TIRUNELVELI DISTRICT.

2 THE DISTRICT EDUCATIONAL OFFICER,
TIRUNELVELI AND DISTRICT

... PETITIONERS/ APPELLANTS

Vs

1 L.INNOCENT ANTONIYAL

2 THE CORRESPONDENT
CHILD JESUS GIRLS HIGHER SECONDARY SCHOOL,
PALAYAMKOTTAI,
TIRUNELVELI DISTRICT

... RESPONDENTS/RESPONDENTS

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 92 days in filing the writ appeal filed as against the order passed in WP(MD)No.11102 of 2023 dated 11.12.2023, on the file of this Honourable Court.

Prayer in WA(MD) SR.No.52495 of 2024 :

To set aside the judgment dated 11.12.2023 in WP(MD)No.11102 of 2023 on the file of this Hon'ble Court.

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



CMP(MD) No.10455 of 2024

Prayer in WP(MD). 11102/ 2023 :

To issue a Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the 2nd respondent in his proceedings in O.Mu.no. 5326/A3/2021 dated 11.04.2022 and quash the same and consequently direct the respondents to approve the appointment of the petitioner as B.T.Assistant with effect from 12.06.2019 with salary and all consequential benefits.

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.S.P.MAHARAJAN, Special Government Pleader for the petitioner and of MR.V.PANNEER SELVAM, Advocate on behalf of the 1st Respondent and none appeared either in person or by an advocate on behalf of the 2nd Respondent, the court made the following order:-

(Order of the Court was made by R.SUBRAMANIAN,J.)

This petition is filed to condone the delay of 92 days in filing the above appeal.

2.The only reason assigned is that the papers are forwarded to the higher officials for further process and the papers got mixed up with other bundles and only on receipt of the notice of Contempt, the petitioners have realized the appeal has not been filed.

3.We find the reason is highly inappropriate. However, in order to give an opportunity to the petitioners, the delay is condoned on payment of cost of Rs.5,000/- to the first respondent. The costs shall be paid within four weeks, failing which the Writ Petition will stand automatically dismissed, without any further reference to this Court.



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4. Registry is directed number the appeal, if it is otherwise in order and list it for admission in the usual course.

sd/-
18/09/2024

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/10/2024

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

TO

1 THE CHIEF EDUCATIONAL OFFICER
TIRUNELVELI DISTRICT.

2 THE DISTRICT EDUCATIONAL OFFICER,
TIRUNELVELI AND DISTRICT.

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.10455 of 2024 IN
WA(MD) SR.No.52495 of 2024
Date :18/09/2024

RS/JGB/SAR-(03.10.2024) 3P 5C
Madurai Bench of Madras High Court is issuing
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