



CMP(MD) No.10172 of 2023

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

Monday, the Eighth day of January Two Thousand and Twenty Four

PRESENT

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

**CMP(MD) No.10172 of 2023
in
WA(MD)SR.No.54208 of 2023**

M.STEPHEN

... PETITIONER/ APPELLANT

Vs

**1 THE DISTRICT EDUCATIONAL OFFICER,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT.**

**2 THE MANAGER OF R.C. SCHOOLS
TUTICORIN DIOCESAN ASSOCIATION SOCIETY,
CATHOLIC BISHOP HOUSE,
THOOTHUKUDI - 628 001.**

... RESPONDENTS/RESPONDENTS

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 455 days in filing the writ appeal.

PRAYER IN WA(MD)SR.No. 54208 of 2023:

To allow this writ appeal by setting aside the order passed by this Hon'ble Court in WP(MD)No. 17720 of 2018 dated 07.03.2022.



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Prayer in WP(MD). 17720/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari to call for the records on the file of the 2nd respondent in connection with the impugned order of punishment passed by him vide his Proceedings in Ref.No.2012/104 dated 20.03.2012 and the consequential impugned order of rejection of appeal passed by him in his proceedings in Ref.No.2016/51 dated 10.03.2016 and quash the both as illegal and arbitrary.

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 M/S.K.GURUNATHAN, Advocate for the petitioner, 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 455 days in filing the W.A.SR.(MD) No.54208 of 2023.

2. The learned counsel for the respondent has no objection for allowing this application.

3. We have gone through the entire affidavit filed in support of this application. The reasons stated in the affidavit are not acceptable reasons. However, considering the request made by the learned counsel for the petitioner, this petition can be allowed on payment of cost of Rs.5,000/-. The said amount shall be paid to the

credit of the Environmental Committee Operated by Registrar (Judicial) [Account

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No.7633863037; MICR Code: 625019020, CIF No: 30602376727, IFSC Code: IDIB000H040, High Court Branch, Madurai (2001)] within a period of one week from the date of receipt of a copy of this order.

4. Post the matter after two weeks for reporting compliance.

sd/-

08/01/2024

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/01/2024

Sub-Assistant Registrar
(C.S.I /II /III /IV)

Madurai Bench of Madras High Court,
Madurai - 625 023.

CM

TO

THE DISTRICT EDUCATIONAL OFFICER,
THOOTHUKUDI,
THOOTHUKUDI DISTRICT.

COPY TO

THE SECTION OFFICER,
ACCOUNTS SECTION
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.K.GURUNATHAN, Advocate (SR-356[I] dated 09/01/2024)

ORDER

IN

CMP(MD) No.10172 of 2023

in

WA(MD)SR.No.54208 of 2023

Date :08/01/2024

PKP/JGB/SAR /22.01.2024/ 3P/ 4C

Madurai Bench of Madras High Court is issuing certified

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