



CMP(MD) No.11756 of 2024

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

Tuesday, the Tenth day of December Two Thousand and Twenty Four

PRESENT

The HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN
and
The HONOURABLE MR. JUSTICE N. SENTHILKUMAR

CMP(MD) No.11756 of 2024
in
WA(MD) SR No.60849 of 2024

1 THE DISTRICT EDUCATIONAL OFFICER,
VALLIOOR,
TIRUNELVELI DISTRICT.

2 THE BLOCK EDUCATIONAL OFFICER
RADHAPURAM,
TIRUNELVELI DISTRICT

... Petitioners / Appellants

Vs

1 A USHA JULIET DAISY

2 THE CORRESPONDENT
ST. ALOYSIUS MIDDLE SCHOOL
T. KALLIKULAM
TIRUNELVELI DISTRICT

... 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 751 days in filing the above Writ Appeal filed as against the order passed in WP(MD). No.3347 of 2021 dated 30.06.2022, on the file of this Honourable Court.



CMP(MD) No.11756 of 2024

Prayer in WA(MD) SR No.60849 of 2024:

To set aside the order dated 30.06.2022 passed in WP(MD) No.3347 of 2021.

Prayer in WP(MD). 3347/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings issued by the 1st respondent herein in Na.Ka.No.2625/A1/ 2020 dt 15.12.2020 and quash the same and further direct the 1st respondent herein to approve the petitioners appointment as BT Assistant (Tamil) in the 3rd respondent school w.e.f the date of appointment viz., 23.06.2017 with salary and attendant benefits.

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.OM PRAKASH, Additional Government Pleader for the petitioners and of Mr.AJITH GEETHAN, Advocate on behalf of the Respondent No.1 and Mr.SAVARIMUTHU, Advocate for M/s.FATHER XAVIER ASSOCIATES, Advocate on behalf of the Respondent No.2, the Court made the following order:-

Taking into consideration the reasons adduced for the delay, we are inclined to condone the delay, however on certain terms.

2. Accordingly, this civil miscellaneous petition is allowed and the delay of 751 days in filing C.M.P.(MD) SR No.11756 of 2024 in W.A.(MD) SR No.60849 of 2024 is condoned subject to the payment of Rs.1,000/- (Rupees one thousand only) by the petitioners to the learned counsel for the first respondent, on or before 16.12.2024, failing which, this civil miscellaneous petition shall stand dismissed automatically without reference to this Court.

3. If the petitioners pay the cost as directed above and file a Memo to that



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effect, Registry is directed to number the appeal, if the papers are otherwise in order

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and post the same for admission on 19.12.2024.

sd/-
10/12/2024

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/12/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

KRK

To

1 THE DISTRICT EDUCATIONAL OFFICER,
VALLIOOR,
TIRUNELVELI DISTRICT.

2 THE BLOCK EDUCATIONAL OFFICER
RADHAPURAM,
TIRUNELVELI DISTRICT

+1 CC to M/s.SPL.GP (SR-72935[F] dated 11/12/2024)

ORDER
IN
CMP(MD) No.11756 of 2024
in
WA(MD) SR No.60849 of 2024
Date :10/12/2024

ED/ VR /SAR- (18/12/2024) 3P / 4C

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