



CMP(MD) No.13005 of 2023

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

Tuesday, the Twenty Third 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.13005 of 2023
IN
WA(MD)SR.No. 70045 of 2023**

**1 THE CHIEF EDUCATIONAL OFFICER
SIVAGANGAI,
SIVAGANGAI DISTRICT**

**2 THE DISTRICT EDUCATIONAL OFFICER,
SIVAGANGAI,
SIVAGANGAI DISTRICT**

... PETITIONERS/ APPELLANTS

Vs

1 R.SEbastian LOURDU

**2 THE CORRESPONDENT
ST MARYS HIGHER SECONDARY SCHOOL,
RAJAKAMBIRAM-630 609,
SIVAGANGAI 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 777 days in filing the above Writ Appeal filed as against the**

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



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order dated 30/06/2021 passed in WP(MD)No.10793 of 2021 on the file of this honble court.

PRAYER IN WA(MD)SR.No. 70045 of 2023:

To set aside the judgment dated 30.06.2021 in WP(MD)No. 10793 OF 2021 on the file of this Honourable Court.

Prayer in WP(MD). 10793/ 2021 :

To issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by the 2nd respondent District Educational Officer vide impugned proceeding in O.Mu.No.3694/a5/2021 dated--.06.2021 quash the same and further Direct respondents 1st and 2nd herein to approve forthwith the appointment of petitioner as BT Assistant in Maths in the 3rd respondent school namely St.Marys Higher Secondary School, Rajakembiram w.e.f. 12.06.2019 and to disburse the grant-in-aid towards his salary and other 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 MR.D.SADIQ RAJA, Additional Government Pleader for the petitioner and of M/S.A.AMALA, Advocate on behalf of the 1st Respondents, 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 777 days in filing the W.A.SR.(MD) No.70045 of 2023.

2. We have gone through the reasons stated in the affidavit filed in support of this petition. Though normally we are not inclined to condone such inordinate delay, considering the reasons stated in the affidavit, 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.2,500/- (Rupees Two Thousand Five Hundred Only) to the credit of



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the Environmental Fund Operated by Member Secretary, Tamil Nadu State Legal Services Authority [Account No.6656485009; IFSC Code: IDIB000H040, High Court Branch, Chennai].

sd/-
23/01/2024

/ TRUE COPY /

/02/2024
Sub-Assistant Registrar
(C.S.I /II /III /IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

YUVA

TO

- 1 THE CHIEF EDUCATIONAL OFFICER
SIVAGANGAI, SIVAGANGAI DISTRICT.
- 2 THE DISTRICT EDUCATIONAL OFFICER
SIVAGANGAI, SIVAGANGAI DISTRICT.

COPY TO

- 1 THE SUB ASSISTANT REGISTRAR,
AE SECTION
MADURAI BENCH OF MADRAS HIGH COURT,
MADRURAI
- 2 THE SECTION OFFICER,
JUDICIAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADRURAI.



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3 THE MEMBER SECRETARY,
TAMILNADU STATE LEGAL SERVICES AUTHORITY,
MADURAI BENCH OF MADRAS HIGH COURT,
MADRURAI (ENVIRONMENTAL FUND)

ORDER
IN
CMP(MD) No.13005 of 2023
IN
WA(MD)SR.No. 70045 of 2023
Date :23/01/2024

PKP/GS/SAR /01.02.2024/ 4P/ 6C

Madurai Bench of Madras High Court is issuing certified
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