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

Tuesday, the 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.16244 of 2023
in
WA(MD)SR.No.84427 of 2023

1 THE GOVERNMENT OF TAMILNADU
REP BY ITS SECRETARY,
DEPARTMENT OF SCHOOL EDUCATION,
FORT ST.GEORGE, CHENNAI -9.

2 THE DIRECTOR OF SCHOOL EDUCATION,
DPI CAMPUS, COLLEGE ROAD, CHENNAI -6

3 THE CHIEF EDUCATIONAL OFFICER
O/O.THE CHIEF EDUCATIONAL OFFICER,
TIRUNELVELI DISTRICT - 627 001.

4 THE DISTRICT EDUCATIONAL OFFICER,
O/O.THE DISTRICT EDUCATIONAL OFFICER,
SERANMAHADEVI,
TIRUNELVELI - 627 001.

... PETITIONERS/ APPELLANTS

Vs

1 SR.S.ARUL RAJA DURAICHI



2 THE CORRESPONDENT

ST.AMALI HIGHER SECONDARY SCHOOL FOR GIRLS,
IRUDAYAKULAM, VICKRAMASINGAPURAM - 627 425,
TIRUNELVELI.

... 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 404 days in filing the above Writ Appeal filed as against the order passed in W.P.(MD).No.18449 of 2022 dated 02.09.2022 on the file of this Honourable Court.

PRAYER in WA(MD)SR.No.84427 of 2023:

To set aside the judgment dated 02.09.2022 in W.P(MD)No.18449 of 2022 on the file of this Honourable court.

Prayer in WP(MD). 18449/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 4th respondent to consider the proposal for approval of the appointment of the petitioner, dated 7.1.2020 and regularize the appointment of the petitioner, Sr.Arul Raja Duraichi working as B.T.Assistant (Science) in Amali Girls Higher Secondary School, Irudayakulam, Vickramasingapuram, Tirunelveli District-627 425 w.e.f. 12.6.2019 with all service and monetary 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 MR.S.SAVARIMUTHU, Advocate for M/S.FATHER XAVIER ASSOCIATES on behalf of the 1st Respondent and M/s.A.BENITTO, Advocate for the 2nd respondent, the Court made the following order:-



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

This petition is filed to condone the delay of 404 days in filing the W.A.SR.
(MD)No.84427 of 2023.

2.The learned counsel for the respondents have not serious objections 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. However, considering the request made by the learned counsel for the petitioners, this petition can be allowed on payment of Rs.2,000/- (Rupees Two Thousand only). The said amount shall be paid to the credit of the Environmental Fund Operated by Member Secretary, Tamil Nadu State Legal Services Authority [Account No.6656485009; IFSC Code: IDIB000H040, High Court Branch, Chennai] within a period of one week from the date of receipt of a copy of this order.



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4. List the matter next week for reporting compliance.

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sd/-
05/03/2024

/03/2024

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

TA

TO

1 THE SECRETARY,
GOVERNMENT OF TAMILNADU
DEPARTMENT OF SCHOOL EDUCATION,
FORT ST. GEORGE, CHENNAI -9.

2 THE DIRECTOR OF SCHOOL EDUCATION,
DPI CAMPUS, COLLEGE ROAD, CHENNAI -6

3 THE CHIEF EDUCATIONAL OFFICER
O/O. THE CHIEF EDUCATIONAL OFFICER,
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O/O. THE DISTRICT EDUCATIONAL OFFICER,
SERANMAHADEVI,
TIRUNELVELI - 627 001.

COPY TO:
THE MEMBER SECRETARY,
ENVIRONMENTAL FUND,
TAMIL NADU STATE LEGAL SERVICES AUTHORITY,
CHENNAI.



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ORDER
IN
CMP(MD) No.16244 of 2023
in
WA(MD)SR.No.84427 of 2023
Date :05/03/2024

SS/VR/SAR- /11/03/2024/5P/6C

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