



CMP(MD) No.16687 of 2023

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

Wednesday, the Sixth 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.16687 of 2023
in
WA(MD)SR.No.84518 of 2023

1 THE CHIEF EDUCATIONAL OFFICER
TIRUNELVELI,
TIRUNELVELI DISTRICT.

2 THE DISTRICT EDUCATIONAL OFFICER,
TIRUNELVELI,
TIRUNELVELI DISTRICT.

3 THE BLOCK EDUCATIONAL OFFICER,
MANNUR RANGE,
TIRUNELVELI DISTRICT.

... PETITIONERS/ APPELLANTS

Vs

1 J.ISAAC PANDIAN,
BT ASSISTANT (TAMIL),
TDTA MIDDLE SCHOOL,
MOOVIRUNTHALI, MANNUR RANGE,
TIRUNELVELI DISTRICT.



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2 THE CORRESPONDENT,
TDTA MIDDLE SCHOOL,
MOOVIRUNTHALI,
MANNUR RANGE,
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 404 days in filing the above Writ Appeal filed as against the order passed in W.P.(MD).No.16536 of 2022 dated 02.09.2022, on the file of this Honourable Court.

PRAYER IN WA(MD)SR.No.84518/2023:

Pleased to set aside the judgement dated 02.09.2022 in WP(MD)No.16536 of 2022 on the file of this Honourable Court.

Prayer in WP(MD). 16536/ 2022 :

Writ Petition, 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 order in O.Mu.No. 588/A2/2020 dated 19.05.2022 of the 3rd respondent herein and quash the same and consequently direct the respondents 1 to 3 herein to implement proceedings dated 11.03.2020 of the Honble Administrators herein and to approve the appointment of petitioner as a BT Assistant (Tamil) w.e.f 20.09.2017 with all other attended 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 on behalf of the Petitioners, and of on behalf of the 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 404 days in filing the W.A.SR.

[MD]No.84518 of 2023.

2.We have gone through the reasons stated in the affidavit filed in support



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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.2000/- (Rupees Two Thousand Only) 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 today.

3.Post the matter on 13.03.2024 for reporting compliance.

sd/-
06/03/2024

/ TRUE COPY /

12/03/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MR
TO
1 THE CHIEF EDUCATIONAL OFFICER
TIRUNELVELI,
TIRUNELVELI DISTRICT.

2 THE DISTRICT EDUCATIONAL OFFICER,
TIRUNELVELI,
TIRUNELVELI DISTRICT.

3 THE BLOCK EDUCATIONAL OFFICER,
MANNUR RANGE,
TIRUNELVELI DISTRICT.



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COPY TO:

THE MEMBER SECRETARY,
TAMIL NADU STATE LEGAL SERVICES AUTHORITY,
CHENNAI.

ORDER IN
CMP(MD) No.16687 of 2023
in
WA(MD)SR.No.84518 of 2023
Date :06/03/2024

SA/GS/SAR. /12.03.2024/4P/5C

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