



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.04.2025

CORAM:

THE HONOURABLE **DR.JUSTICE G.JAYACHANDRAN**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

C.M.P(MD)No. 12760 of 2024

in

W.A(MD)SR.No. 62565 of 2024

P.S. Sunilkumar

... Petitioner/Appellant

-Vs-

1. The Secretary,
School Education Department,
Fort St.George,
Chennai 9.
2. The Director of School Education,
College Road, DPI Campus,
Chennai 6.
3. The District Educational Officer,
Thiruvattar, Marthandam,
Kanyakumari District.
4. The Correspondent,
Purushothaman Pillai Memorial
Higher Secondary School,
Anducode, Kanyakumari District.

... Respondents/Respondents



PRAYER in C.M.P(MD)No. 12760 of 2024 : Petition filed under Section 5 of Limitation Act, to Condone the delay of 327 days in filing the above Writ Appeal against the order in WP(MD)No.16880 of 2019 dated 01.09.2023.

PRAYER in W.A(MD)SR.No. 62565 of 2024 : Writ Appeal is filed under Clause 15 of Letters Patent, to set aside the order dated 01.09.2023 made in W.P(MD)No. 16880 of 2019 and allow this Writ appeal.

For Petitioner : Mr.S. Arivalagan

For Respondents : M/s.D.Ghandiraj,
Special Government Pleader, for R-1 to R-3
M/s.J.Anandhavalli, for R-4

ORDER

DR.G.JAYACHANDRAN, J.

AND

R.POORNIMA, J.

This petition is filed to condone the delay of 327 days in filing the above Writ Appeal, against the order, dated 01.09.2023 passed in WP(MD)No.16880 of 2019.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.



3. The Writ petition was filed by the Appellant herein seeking *Writ of Certiorarified Mandamus*, to quash the order passed by the 4th respondent declining the approval of appointment. The Learned Single Judge though fit that the relief sought in the writ petition cannot be granted. However, the appellants are entitled to compensation of Rs.35,000/-, payable by the 4th respondent School management. Being aggrieved, the Appellant herein has filed this Writ appeal, however with delay.

4. The reasons stated for condonation of delay is the financial status of the appellant.

5. This Court, after considering the background of the appellant cannot see any justification for not preferring the writ appeal within time citing her financial condition. On merits, this Court finds no infirmity in the order passed by the Learned Single Judge.

6. It is seen from the records that the 4th respondent has complied with the order passed by the Learned Single Judge, by paying Rs.35,000/- to the Appellant through a Demand Draft.



7. For all the reasons stated above, this Civil Miscellaneous Petition

stands dismissed. Consequently, connected Writ Appeal is also rejected at SR

stage. No costs.

[G.J., J.] & [R.P., J.]

03.04.2025

NCC : Yes / No

Index : Yes / No

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