



C.M.P.(MD) No.11250 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.02.2026

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

**C.M.P.(MD) No.11250 of 2025
in
W.A.(MD) SR No.57020 of 2025**

1.The Chief Educational Officer
Tirunelveli, Tirunelveli District

2.The Director Educational Officer
(Secondary)
Tirunelveli District

... Petitioners

-vs-

1.S.Arockia Samy

2.The Correspondent
St.Xavier's Higher Secondary School
Palayamkottai-627 002
Tirunelveli District

... Respondents

PRAYER: Petition filed under Section 5 of Limitation Act to condone the delay of 584 days in filing the above writ appeal as against the order dated 03.11.2023, passed in W.P.(MD) No.16724 of 2023.



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For Petitioners : Mr.J.Ashok
Additional Government Pleader

For Respondents : Ms.A.Amala for R1
No appearance for R2

ORDER

[Order of the Court was made by DR.G.JAYACHANDRAN, J.]

This civil miscellaneous petition has been filed seeking to condone the delay of 584 days in the filing the above writ appeal.

2. It is represented by the learned Additional Government Pleader appearing for the petitioners that in some cases arising out of the same common order, appeals preferred and the same were dismissed and in some cases, appeals are pending and interim stay has been granted.

3. A perusal of the affidavit, more particularly, Paragraph No.14 of the affidavit, shows that the case records got mixed up with the other case records and therefore, case records of the case on hand could not be traced out and therefore, the appeal could not be preferred within the time limit. This Court is inclined to condone the delay, however upon certain terms, for the recklessness of the officials concerned.



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4. Accordingly, this civil miscellaneous petition is allowed and the delay of 584 days in filing the above writ appeal is condoned subject to payment of cost of Rs.10,000/- (Rupees ten thousand only) payable by the petitioners to the High Court Legal Services Committee, attached to the Madurai Bench of Madras High Court, Madurai, within a period of fifteen days from the date of receipt of a copy of this order. Failing which, this civil miscellaneous petition will stand dismissed automatically without further reference to this Court.

5. Registry is directed to number the writ appeal, if the cost is paid within the time limit as prescribed above and if papers are otherwise in order, and post the same for admission in the usual course.

[G.J., J.] [K.K.R.K., J.]
09.02.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

Note to Office:

Mark a copy of this order to the Officer In-charge, High Court Legal Services Committee, Madurai Bench of Madras High Court, Madurai.

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To:

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(Secondary),
Tirunelveli District.



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K.K.RAMAKRISHNAN, J.

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