



CRP(MD) No.3111 of 2023

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

Monday, the Fourth day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRP(MD) No.3111 of 2023
AND
CMP(MD) No.16055 of 2023

1 THE STATE OF TAMILNADU
REP BY ITS SECRETARY TO GOVERNMENT,
SCHOOL EDUCATION DEPARTMENT,
ST. GEORGE FORT,
CHENNAI - 600 009.

2 THE DIRECTOR OF SCHOOL EDUCATION,
DPI, COLLEGE ROAD,
CHENNAI - 600 006.

3 THE CHIEF EDUCATIONAL OFFICER,
SINA VANA GOVERNMENT HIGHER SECONDARY SCHOOL COMPOUND,
V.E.ROAD,
TUTICORIN -3.

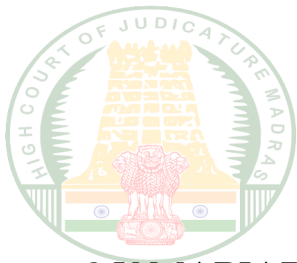
4 THE DISTRICT EDUCATIONAL OFFICER,
TUTICORIN EDUCATION DISTRICT,
TIRUCHENDUR ROAD,
NELLA MALASIA ANNACHI,
TUTICORIN-3.

... PETITIONERS/RESPONDENTS 1 TO 4/
DEFENDANTS 1 TO 4

Vs

1 PETER PATHINATHAN

... 1st RESPONDENT/PETITIONER/PLAINTIFF



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2 K.MARIAPPAN,
STATE HUMAN RIGHTS COMMISSION,
TIUVARANGAM
NO. 143, P.S. KUMARASAMY RAJA SALAI (GREENWAYS ROAD),
CHENNAI - 600 028.

3 S.HARIHARAN,
CHIEF EDUCATIONAL OFFICER,
PUDUKOTTAI,
PUDUKOTTAI DISTRICT.

4 ROBER SUTHANTHIRAJ
DISTRICT EDUCATIONAL OFFICER,
TUTICORIN EDUCATIONAL DISTRICT,
TIRUCHENDUR ROAD,
NELLA MALASIA ANNACHI MALIGAI,
TUTICORIN-3.

5 PON VEMBADIYAN
B-115, TNHB COLONY MELAKOTTAI POST,
THIRUMANGALAM,
MADURAI - 625 708.

6 P.KANNAN,
DIRECTOR OF SCHOOL EDUCATION(RTD)

7 MYTHILI,

8 BALA MUGANTHAM,

9 DIVYA LAKSHMI,

10 SUBASRI,

... RESPONDENTS 2 TO 10/
RESPONDENTS 5 TO 13/DEFENDANTS 5 TO 13

Civil Revision Petition filed praying that in the circumstances stated therein and
in the affidavit filed therewith the High Court may be pleased to call for records
<https://www.nhrc.tn.gov.in/judis>



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pertaining to the impugned order made in E.P.No.95 of 2019 in O.S.No.339 of 2010 dated 19-10-2023 on the file of the Sub Court, Tuticorin and set aside the same and thereby allow the subject Civil Revision Petition.

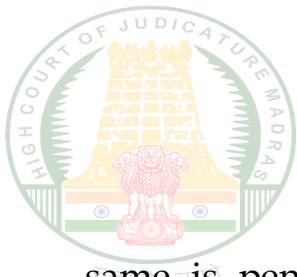
Prayer in CMP(MD). 16055/ 2023 :

To Stay all further proceedings pursuant to the impugned order made in E.P.No.95 of 2019 in O.S No.339 of 2010 dated 19.10.2023 on the file of the Sub Court, Tuticorin, pending disposal of the above Civil revision petition and thus render justice.

ORDER : This Civil Revision 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, the court made the following order:-

The Civil Revision Petition is directed against the order passed in E.P.No.95 of 2019 in O.S.No.339 of 2010 dated 19.10.2023, on the file of the Sub Court, Thoothukudi, issuing attachment warrant as against the revision petitioners.

2. The learned Additional Government Pleader appearing for the revision petitioners would submit that the first respondent has laid the suit in O.S.No.339 of 2010, claiming damages alleging that he was suspended from service and disciplinary proceedings were initiated without any basis and the trial Court, after full trial, has passed a decree in favour of the first respondent, that the revision petitioners have preferred an appeal along with an application to condone the delay in filing the appeal, that the said application was dismissed for default and that they have filed an application to restore the application to condone the delay in filing the appeal and the



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same is pending. He would further submit that the decree holder has laid the execution petition in E.P.No.95 of 2019 and the Executing Court, by observing that the decree has not been challenged in the manner known to law, has passed the impugned order.

3. Considering the submission made by the learned Additional Government Pleader and also taking note of the facts and circumstances, there shall be an order of interim stay on depositing 50% of the amount claimed in the execution petition before the concerned Court on or before 04.01.2024, failing which, the interim stay granted shall stand automatically vacated.

4. Issue notice to the respondents returnable by 05.01.2024. Private notice is also permitted.

5. Post the matter on 05.01.2024 for reporting compliance.

sd/-
04/12/2023

/ TRUE COPY /

/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

CSM
TO
THE SUBORDINATE JUDGE,
TUTICORIN.



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ORDER
IN
CRP(MD) No.3111 of 2023
AND
CMP(MD) No.16055 of 2023
Date :04/12/2023

SA/DD/SAR. /08.12.2023/5P/2C

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