



C.M.A(MD)No.1458 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATE : 23.06.2026

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

C.M.A(MD)No.1458 of 2025
and C.M.P(MD)No.19069 of 2025

1.P.Gunasekaran

2.L.Nandagopal Yadav

: Appellants

Vs.

1.Yadhavar Kalvi Nidhi,
a Registered Society (Reg.No.85/1962)
running Yadhava College & Yadhava College of Education,
Rep.through its Secretary, Govindarajan Campus,
Tirupalai, Madurai – 625 014.

2.The Director of Collegiate Education,
Institute of Advanced Study in Education Campus,
577, Anna Salai, Saidapet, Chennai – 600 015.

3.The Joint Director of Collegiate Education,
Madurai Region, Palam Station Road,
Madurai 625 002.
Madurai District.

4.R.V.N.Kannan Yadav

5.L.Muthukrishnan

: Respondents

(5th respondent is impleaded as per the order of this
Court, dated 15.04.2026 made in CMP (MD)
No.5085 of 2026 in CMA(MD)No.1458 of 2025)



C.M.A(MD)No.1458 of 2025

PRAYER:- Civil Miscellaneous Appeal filed under Order 43 Rule 1(r) of C.P.C., against the fair and executable order passed in I.A.No.6 of 2025 in O.S.No.472 of 2025, dated 30.10.2025 on the file of the VI Additional District Court, Madurai.

For Appellants : Mr.M.Ponniah,

For Respondents : Mr.E.V.N.Siva, for R1 and R4.

: Mr.R.S.Sivaam,
Government Advocate (Civil Side)
for R2 and R3.

: Mr.A.B.Jeeva, for R5.

J U D G M E N T

The Civil Miscellaneous Appeal is directed against the order passed in I.A.No.6 of 2025 in O.S.No.472 of 2025, dated 30.10.2025 on the file of the VI Additional District Court, Madurai, dismissing the petition filed under Order 39 Rules 1 and 2 of the Code of Civil Procedure.

2. When the matter is taken up today, the learned counsel for the appellants would submit that subsequent to the filing of the suit, the Government has issued a notification for appointment of teaching as well as non-teaching staffs and that since their application for temporary injunction came to be dismissed, they may be given liberty to challenge the notification and the consequent actions of the Government.



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3. The learned counsel for the appellants would further submit that the Hon'ble Division Bench of this Court in W.A(MD)Nos.730, 731 and 762 of 2025, by order dated 04.07.2025, gave liberty to file a comprehensive suit before the Principal District Court, Madurai and directed the trial Court to dispose of the suit on merits in accordance with law within a period of six months thereafter; that service of suit summons had taken four months time and now the suit is pending for trial and that since the post of VI Additional District Judge, Madurai, is presently vacant, the officer holding additional charge/in-charge may be directed to take up the suit for trial and dispose of the same within time to be stipulated by this Court.

4. The learned counsel for the respondents 1, 4 and 5 and the learned Government Advocate (Civil Side) for Tamil Nadu for the respondents 2 and 3 would submit that the liberty sought for by the appellants cannot be granted and they have no objection to the trial Court proceeding with the trial and disposing of the suit within time to be stipulated.



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5. In view of the submissions made on either side and taking note of the directions issued by the Hon'ble Division Bench of this Court in W.A(MD)Nos.730, 731 and 762 of 2025, the learned Judge, who is holding full additional charge of the VI Additional District Court, shall take the suit in O.S.No.472 of 2025 for trial and complete the same within a period of three months from the date of receipt of copy of this order.

6. With the above directions, the Civil Miscellaneous Appeal is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

23.06.2026

Note : Registry is directed to send back the original records, if received, to the trial Court.

NCC : Yes/No

Index : Yes/No

Internet : Yes/No
das



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To

- 1.The District Court, Madurai.
2. VI Additional District Court, Madurai.
- 3.The Director of Collegiate Education,
Institute of Advanced Study in Education Campus,
577, Anna Salai, Saidapet, Chennai – 600 015.
- 4.The Joint Director of Collegiate Education,
Madurai Region, Palam Station Road,
Madurai 625 002. Madurai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 6.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

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