

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2018

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THE HON'BLE MR.JUSTICE SATRUGHANA PUJAHARI

WRIT PETITION NO. 21256 OF 2018

Socrates

...Petitioner

Vs.

The Chief Educational Officer,
Thiruvavarur, Thiruvavarur District.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondent herein to dispose of the petitioner's representation dated 19.07.2018 within stipulated time prescribed by this Hon'ble Court.

For Petitioner : Mr. T.Muruganatham

For Respondent : Mrs. P.Kavitha
Government Advocate

ORDER

Heard Mr.T.Muruganatham the learned counsel appearing for the petitioner and Mrs.P.Kavitha the learned Government Advocate who accepts notice on behalf of the respondents. With consent of the learned counsel on either side, the Writ Petition is taken up for disposal.

2. The grievance of the petitioner is that while working as Junior Assistant in Peralam Boys Higher Secondary School, Peralam, he was transferred to Kaduvankudi High School, Kaduvankudi where from he was directed to work in Menagudi Higher Secondary School, Menagudi as Junior Assistant, where he attended the duty till 28.03.2018. However, thereafter he being suffering from illness, could not attend the school and applied for medical leave on 02.04.2018 and after recovery from the illness on 20.04.2018 when he went to Menagudi High School to join his duty, he was asked to join in Kaduvankudi high school and submit his leave application to the Headmaster in

Kaduvankudi. When he appeared before the Kaduvankudi Headmaster and submitted his application and asked to allow him to join on 01.06.2018, he was not allowed to join. In this regard he has approached both the Headmasters on several occasions but they have not allowed him to join in either of the schools. For that he has made a representation to the Chief Educational Officer, Thiruvarur on 19.07.2018. But, till date no order having been passed on the said representation, he filed this Writ Petition seeking a direction to the respondent/Chief Educational Officer to consider his representation and pass the necessary orders within a stipulated period.

3. The learned counsel for the petitioner submits that in view nature of relief sought for, this Writ Petition may be disposed of without seeking counter/reply affidavit from the respondent and direct the respondent to dispose of his representation, within a specified period.

4. The learned Government Advocate, submits that if such representation is pending the same shall be considered in accordance with law within a reasonable period.

5. Regard being had to the aforesaid facts and submissions made, this Writ Petition is disposed of with a direction to the first respondent to take an informed and considered decision on the representation of the petitioner dated 19.07.2018, on merits and in accordance with law, within a period of two weeks from the date of receipt of this order if there is no other legal impediment. However, it is made clear that this Court has expressed no opinion on the merits of the representation in any manner. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

The Chief Educational Officer,
Thiruvarur, Thiruvarur District.

+1cc to Mr. T.Muruganatham, Advocate sr.no.57087

+1cc to Government Pleader sr.no.57652

Writ Petition No. 21256 of 2018

nr 26/09/2018