



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.4679 of 2013

Smt.S.Dhatchayani

...Petitioner

-Vs-

1. The District Educational Officer,
Chennai North, Chennai - 8.

2. Sri Ramakrishna Math Vivekananda
Centenary Girls Higher Secondary School,
Represented by its Secretary,
No.2, Saravana Street, Mint,
Chennai - 79.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 1st respondent to regularize the service of the petitioner in the post of Water Woman for the period from 11.02.2000 to 28.02.2010 and consequently pay the salary for the said period.

For Petitioner : Mr.G.Mohanarangam

For R1 : Ms.Rajarajeswari,
Government Advocate

For R2 : No Appearance

ORDER

The petitioner herein had given a representation to the respondents on 17.12.2012 seeking for regularization of her service in the post of Water Woman along with salaries for the period between 11.02.2000 and 28.02.2010. Since the said representation was not considered, the present writ petition has been filed.

2. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or



other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

3. Since the representation given by the petitioner dates back to the year 2012, it would be appropriate that the petitioner be granted liberty to give a fresh representation, with a consequential direction to the first respondent herein to consider the same.

4. In the light of the above observations, the petitioner is granted liberty to give a fresh representation to the first respondent herein ventilating her grievances. On receipt of the same, the first respondent shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of 12 weeks from the date of receipt of the representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. With the above direction, this Writ Petition stands disposed of. No costs.

s/d-
Assistant Registrar

True Copy//

Sub-Assistant Registrar

Hvk

To

The District Educational Officer,
Chennai North, Chennai - 8

+1 CC to The Government Pleader sr 13023.
+1cc to Mr.G.Mohanarangam, Advocate, Sr.12720(05/04/2022)

W.P.No.4679 of 2013

KK(CO)
SP(10/03/2022)