



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.12070 of 2018

and

W.M.P(MD) No.11003 of 2018

The Manager /Correspondent
V.K.P. Higher Secondary School
Colachel, Kanyakumari District

... Petitioner

vs.

1. The State of Tamil Nadu
Rep. by its Secretary
Department of School Education
Fort.St.George, Chennai- 600 009.
2. The Director of School Education
College Road, Chennai- 600 006.
3. The Chief Education Officer
Nagercoil, Kanyakumar District
4. The District Educational Officer
Thucakalay, Kanyakumari District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent Director of School Education to permit the conversion of the existing post of post Graduation Assistant in Malayalam into post Graduation Assistant in English on the basis of the recommendation of the third respondent CEO in Na.Ka.No.9709/AA1/2015 dated 29.01.2016 and 05.05.2017, within a reasonable time as may be fixed by this Court.

For Petitioner	: Mr.K.Ragatheesh Kumar
For Respondents	: Mr.J.Gunaseelan Muthiah
	Additional Government Pleader

O R D E R

Mr.J.Gunaseelan, learned Additional Government Pleader takes notice for the respondents.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



3. The grievance of the petitioner is to direct the second respondent Director of School Education to permit the conversion of the existing post of post Graduation Assistant in Malayalam into post Graduation Assistant in English on the basis of the recommendation of the third respondent CEO in Na.Ka.No.9709/AA1/2015 dated 29.01.2016 and 05.05.2017, has not been considered by the third respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation in the light of the orders of the third respondent dated 29.01.2016 and 05.05.2017 in Na.Ka.No.9709/AA1/2015 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

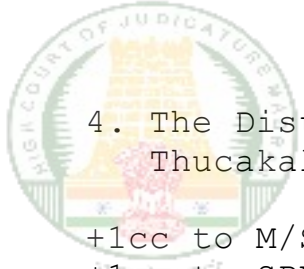
Sub Assistant Registrar

To:

1. The Secretary
Department of School Education
Fort.St.George, Chennai- 600 009.

2. The Director of School Education
College Road, Chennai- 600 006.

3. The Chief Education Officer
Nagercoil, Kanyakumar District



4. The District Educational Officer
Thucakalay, Kanyakumari District

+1cc to M/S.ISAAC CHAMBERS, Sr.No.67445

+1cc to SPECIAL GOVERNMENT PLEADER, Sr.No.67358

Aav

MK/SV MMS/SAR 2/18.06.2018/3P/7C

W.P. (MD) No.12070 of 2018
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