



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.10110 of 2018

P.Sathish @ Sathispandian

... Petitioner

vs.

1.The Inspector of
Matriculation Schools
Tallakulam
Madurai-625 002

2.The Correspondent
Sri Aurobindo Mira Matriculation
Higher Secondary School
No.108, Nehru Nagar
Bye Pass Road
Madurai-625 010

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to issue necessary direction to the second respondent to receive 50% of the term fee of the petitioner's child namely Praveenkumar, studying in the second respondent school from the petitioner by virtue of the order in H.M.O.P.No.452/2011, dated 25.08.2014, passed by the Family Court, Madurai, based on the petitioner's representation made to the first respondent, dated 02.04.2018.

For Petitioner : Mr.A.Veluchamy

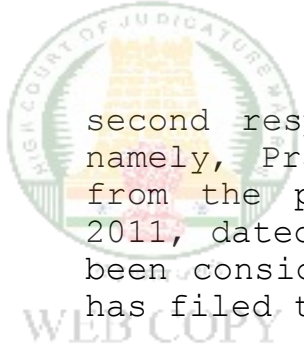
For Respondents : Mr.N.Shanmugaselvam

Additional Government Pleader for R1

O R D E R

Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice for the first respondent. Notice to the second respondent is dispensed with in view of nature of the order to be passed by this Court.

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



second respondent to receive 50% of the term fee for his child, namely, Praveenkumar, studying in the second respondent - School, from the petitioner by virtue of the order in H.M.O.P.No.452 of 2011, dated 25.08.2014, passed by the Family Court, Madurai, has not been considered by the first 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 first respondent to consider the petitioner's representation dated 02.04.2018 on its own merits and take further action in accordance with law, within a period of four 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.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To:
The Inspector of Matriculation Schools,
Tallakulam,
Madurai-625 002.

+1CC to Mr.A.Veluchamy, Advocate, SR.No. 64322

W.P.(MD) No.10110 of 2018
28.04.2018

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