



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.06.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)No.13337 of 2018

S.Muthumari

... Petitioner

Vs.

- 1.The Joint Director (Pvt. Schools)
Directorate of School Education,
College Road, Chennai - 600 006.
- 2.The Chief Educational Officer,
Tirunelveli District, Tirunelveli.
- 3.The District Educational Officer,
Cheranmahadevi Educational District,
Cheranmahadevi,
Tirunelveli District.
- 4.The Secretary,
Thirumurugan High School,
Valliammalpuram,
South Madathur Post,
Tirunelveli District.

... Respondents

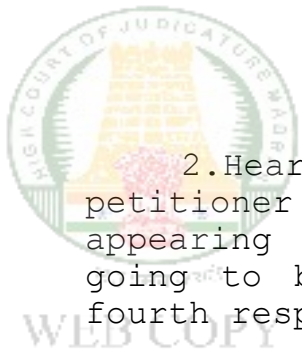
Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent No.1 to dispose of petitioner;s statutory appeal dated 24.11.2017 which in continuation of earlier appeal dated 11.08.2009 on merits and in accordance with law within the time stipulated by this Court.

For Petitioners : Mr.S.Balamurugan

For Respondents : Mrs.S.Srimathy,
Special Government Pleader For R1-3

O R D E R

The prayer sought for in this writ petition is for a writ of mandamus, directing the respondent No.1 to dispose of petitioner;s statutory appeal dated 24.11.2017 which in continuation of earlier appeal dated 11.08.2009 on merits and in accordance with law within the time stipulated by this Court.



2. Heard Mr.S.Balamurugan, learned counsel appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents 1 to 3. Since no adverse order is going to be passed against the fourth respondent, notice to the fourth respondent is dispensed with.

3. The learned counsel appearing for the petitioner would submit that the fourth respondent school, where the petitioner was working, had inflicted a punishment against the petitioner, as against which, the petitioner preferred an appeal originally to the second respondent, who was the appellate authority, subsequently, since the authority has got changed, the petitioner had given appeal to the first respondent on 11.08.2009. Though the said appeal has been given in the year 2009, all these years, the first respondent had not disposed of the same, in spite of several repeated requests and representations. Hence, reminder has been given in this regard by the petitioner in the year 2010, 2013 and 2017. On 24.11.2017 once again, an appeal has been filed to the first respondent, as very long time, the earlier appeal filed to the first respondent, since has not been disposed of. Therefore, the learned counsel appearing for the petitioner would submit that if the said appeal pending before the first respondent is directed to be decided within a time frame, the petitioner would be satisfied.

4. I have heard Mrs.S.Srimathy, learned Special Government Pleader, appearing for the respondents 1 to 3, who would submit that the said appeal filed by the petitioner pending before the first respondent would be decided on merits, within a time frame.

5. Considering the said submissions made by both sides, this writ petition is disposed of with the following direction:

"The first respondent is directed to consider and decide the appeal filed by the petitioner originally on 11.08.2009, subsequently, by way of reminder dated 24.11.2017 and pass orders thereon, on merits and 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.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar



1.The Joint Director (Pvt. Schools)
Directorate of School Education,
College Road,
Chennai - 600 006.

2.The Chief Educational Officer,
Tirunelveli District,
Tirunelveli.

3.The District Educational Officer,
Cheranmahadevi Educational District,
Cheranmahadevi,
Tirunelveli District.

+1CC to Special Government pleader in SR.No.69568.

+1CC to Mr.S.Balamurugan Advocate in SR.No.69477.

ARUL

DS/SV/SAR-2 :11.07.2018: 3P/6C

W.P (MD) Nos.13337 of 2018
22.06.2018