



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P (MD)No.19178 of 2019

D.Ramya

... Petitioner

/Vs./

1.The Director of School Education,
Government of Tamilnadu,
DIP Complex, College Road,
Chennai - 600 006.

2.The District Educational Officer,
District Educational Office,
Alagarkovil Road, (Near Post Office),
Thallakulam, Madurai - 625 002.

3.The Correspondent,
St.Charles High School,
Bodinayakkanpatti,
Vadipatti - 625 218,
Madurai District.

... Respondents

PRAYER: Writ Petition - filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the 2nd and 3rd Respondents to consider the petitioner's representation dated 24.07.2019 and consequently direct the 2nd and 3rd Respondents to pay appropriate compensation to the petitioner's daughter which is occurred by way of medical expenses and for surgery made on 22.01.2019 in the private Hospital for petitioner's daughter.

For Petitioner : Mr.R.Saravanakumar

For R-1 & R-2 : Mr.M.Karuppasamy
Government Advocate

For R-3 : Mr.V.M.Jagadeeshapandian

ORDER

Mr.R.Saravanakumar, learned counsel on record for writ petitioner is before this Court.

<https://hcservices.courts.gov.in/hcservices/> Mr.M.Karuppasamy, learned Government Advocate, accepts



notice on behalf of respondents 1 and 2. Mr.V.M.Jagadeeshapandian, learned counsel is before this Court and he submits that he has entered appearance for third respondent.

3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 24.07.2019 wherein writ petitioner has sought compensation for an accident which writ petitioner's daughter met with on 22.01.2019.

5. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the second respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 24.07.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the second respondent is the authority who shall consider the aforementioned representation dated 24.07.2019 made by the writ petitioner (page Nos.14 to 19 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 24.07.2019 shall be disposed of by the second respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. It is made clear that in the course of the representation being considered by the second respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the second respondent shall give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. To be noted, learned counsel for third respondent submitted that third respondent institution is not in any manner guilty of negligence and there are no lapses on the part of the third respondent. In the light of the abridged prayer, this Court does not express any opinion or view on this submission.

9. The proceeding / order of disposal shall be communicated by the office of the second respondent to the writ petitioner under due acknowledgement within seven (7) working days from the completion of



10. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Director of School Education,
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+1 CC to M/s.V.M JEGADEESHA PANDIAN, Advocate (SR-87471[F] dated 18/09/2019)

+1 CC to M/s.R.SARAVANAKUMAR, Advocate (SR-87430[F] dated 18/09/2019)

+1 CC to M/s.SPL GP (SR-87975[F] dated 19/09/2019)

Order made in
W.P (MD) No.19178 of 2019
Dated: 18.09.2019

JMN(03.10.2019) 3P : 7C