



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.12.2019

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P. (MD)No.26753 of 2019

and

W.M.P. (MD)No.23105 of 2019

WEB COPY

The Correspondent

Arunachalam Higher Secondary School,
Thiruvattar-629 177,
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 Educational Officer,
Nagercoil, Kanyakumari District.

4.The District Educational Officer,
Thiruvattar, Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to approve forthwith the appointment of J.Saranya as BT Assistant Maths in the petitioner's school w.e.f.21.07.2017 and disburse the grant-in-aid towards petitioner salary and allowance w.e.f. the said date.

For Petitioner : Mrs.A.Amala

For Respondents : Mr.M.Karuppasamy

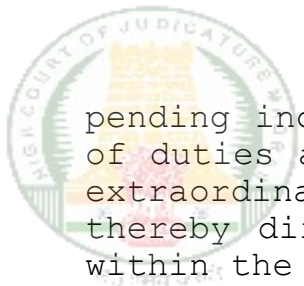
Government Advocate

ORDER

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

2.The limited prayer sought for the in the present writ petition is for a direction to the respondents to approve forthwith the appointment of J.Saranya as BT Assistant Maths in the petitioner's school.

3.Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondents to dispose the same on its own merit and pass appropriate orders in one way or other, instead of keeping the same



pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to dispose the petitioner's proposal within the stipulated time.

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4. In view of the above observations, there shall be a direction to the third respondent herein to dispose the petitioner's proposal dated 29.04.2018 on its own merits and pass appropriate orders within a period of six (6) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in his representation and it is for the respondents to consider it in accordance with law.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sjj

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 Educational Officer,
Nagercoil, Kanyakumari District.
4. The District Educational Officer,
Thiruvattar, Kanyakumari District.

+1 CC to M/s.SPL.GP (SR-105577[F] dated 18/12/2019)

+1 CC to M/s.A.AMALA, Advocate (SR-105609[F] dated 18/12/2019)

SMA/07/01/2020/2P/7C

W.P. (MD) No.26753 of 2019
17.12.2019