



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.12.2019**

CORAM:

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

W.P. (MD)No.26962 of 2019

A.Antonyraj

... Petitioner

/vs./

1.The District Educational Officer,
O/o. District Educational Officer,
Tenkasi,
Tenkasi District.

2.The Superintendent,
R.C.District Management Schools,
Palayamkottai,
Tirunelveli.

3.The Correspondent,
R.C.Middle School,
Surandai,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 2 and 3 to consider and pass orders on the petitioners representation dated 07.06.2019 in regard to implementation of his appointment order issued by the second respondent vide his proceedings in Tho.Pe.No.2542102 dated 03.09.2018 thereby direct the third respondent to send proposal for approval of the petitioner's appointment within the time limit that may be stipulated by this Court.

For Petitioner: Mr.K.Sankar

For R1 : Mr.A.Thiyagarajan
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 petitioner is that to consider the representation dated 07.06.2019 seeking to implement of his appointment order issued by the second respondent vide his proceedings in Tho.Pe.No.2542102 dated 03.09.2018.

<https://hcservices.courtservice.gov.in> 3. Wherein a representation is made to a statutory authority



to redress the claim of the employee, there is a duty cast upon the respondents to consider 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 consider the representation within the stipulated time.

4.In view of the above observations, there shall be a direction to the second respondents herein to consider the petitioner's representations dated 07.06.2019 on its own merits and pass appropriate orders within a period of eight 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 second respondent to consider it in accordance with law.

5.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

The District Educational Officer,
O/o. District Educational Officer,
Tenkasi,
Tenkasi District.

+1 CC to MR.K.SANKAR, Advocate (SR-105829[F] dated 19/12/2019)

+1 CC to SPL.GP (SR-105919[F] dated 19/12/2019)

W.P. (MD) No.26962 of 2019

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