



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.01.2020**

CORAM:

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

W.P. (MD) No.383 of 2020

V.Manimozhi

... Petitioner

/vs./

- 1.The State of Tamilnadu
represented by its Secretary,
School Education Department,
Fort St.George,
Chennai 600 009.
- 2.The Director of Elementary Education,
Nungambakkam,
Chennai - 600 006.
- 3.The Chief Educational Officer,
O/o. the Chief Educational Officer,
Dindigul,
Dindigul District.
- 4.The Chief Educational Officer,
O/o. the Chief Educational Officer,
Collectorate Campus,
Karur,
Karur District.
- 5.The District Educational Officer,
O/o. the District Educational Officer,
Vedasandur,
Dindigul District.
- 6.The District Educational Officer,
O/o. the District Educational Officer,
Karur,
Karur District.
- 7.The Block Educational Officer,
O/o. the Block Educational Officer,
Vedasandur Union,
Dindigul 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 regularize the services of the petitioner as Secondary Grade Teachers w.e.f 3.1.2002 as was granted in respect of the similarly placed persons vide G.O.Ms.No.143, School



Education (S-2) department dated 25.6.2007 and G.O.(3D) No.128, School Education (G2) department dated 28.9.2011 and by considering the petitioner's representation dated 30.10.2019, within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkateshkumar for
M/S.Ajmal Associates

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 by the petitioner is that to consider the representation dated 30.10.2019 seeking to regularize the services of the petitioner as Secondary Grade Teachers with effect from 03.01.2002.

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 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 fifth respondent herein to consider the petitioner's representations dated 30.10.2019 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 fifth respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)



To

WEB COPY

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+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-1036[F] dated
09/01/2020)

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KM/(28.01.2020) 3P 9C