



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.01.2020**

CORAM:

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

W.P. (MD) No.590 of 2020

A.Gorijan

... Petitioner

/vs./

1.The Secretary to Government,
School Education Department,
Secretariat, St.George Fort,
Chennai.

2.The Corporation Education Officer,
Madurai Corporation,
Madurai.

3.The Commissioner,
Madurai Corporation,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari, to direct the respondents to refix the scale of pay of the petitioner in the scale of pay secondary grade teacher as on along with selection grade and special grade in secondary scale of pay by granting exemption to the petitioner from passing SSLC on the basis of representation of the petitioner dated 21.08.2019.

For Petitioner	: Mr.M.Gnanagurunathan
For R-1 and R-2	: 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. Though the petitioner has sought for issuance of writ of mandamus to direct the respondents to refix the scale of pay of the petitioner in the scale of pay secondary grade teacher as on along with selection grade and special grade in secondary scale of pay by granting exemption to the petitioner from passing SSLC, in my view, such a decision is to be taken by the respondents and in case, the petitioner is aggrieved against such any decision, it would be appropriate to approach this Court.

<https://hcservices.courts.gov.in/hcse/pics> 3. The petitioner would submit that he has already made



representation on 21.08.2019 in this regard, which is said to be pending. If the said representation is directed to be disposed of within stipulated time, the ends of justice could be secured.

4. 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 merits 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.

5. In view of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation, dated 21.08.2019, on its own merits and pass appropriate orders within a period of eight (8) 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.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

1.The Secretary to Government,
School Education Department,
Secretariat, St.George Fort,
Chennai.

2.The Corporation Education Officer,
Madurai Corporation,
Madurai.



3.The Commissioner,
Madurai Corporation,
Madurai.

+1 CC to SPL.GP (SR-1946[F] dated 20/01/2020)

Order made in
W.P. (MD) No.590 of 2020

Dated
10.01.2020

_KM/ (06.02.2020) 3P 5C