



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **29.01.2020**

CORAM:

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

W.P. (MD) No.1743 of 2020
and
W.M.P. (MD) No.1471 of 2020

P.Jeyakodi

... Petitioner

/vs./

1.The Director of School Elementary Education,
O/o. the Director of School Education,
DPI Campus,
Chennai -6.

2.The District Educational Officer,
O/o. the District Educational Officer,
Collectorate,
Virudhunagar District.

3.The Secretary,
Malankinaru Nadargal,
MSP Senthilkumara Nadar Higher Secondary School,
Malankinaru,
Virudhunagar District.

... Respondents

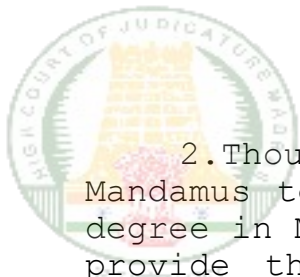
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to Ratify the Master of Science degree in Mathematics obtained by the petitioner through Distance Education and Provide the Incentive Increment for Acquiring Higher Educational qualification of M.Sc Mathematics, within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For R1 & R2 : 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.Though the petitioner has sought for issuance of Writ of Mandamus to the respondents 1 to 3 to ratify the Master of Science degree in Mathematics obtained by her through Distance Education and provide the incentive increment for acquiring higher educational qualification of M.Sc Mathematics, 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.

3.The petitioner would submit that she has already made a representation on 06.01.2020 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 second respondent herein to consider the petitioner's representation, dated 06.01.2020, on its own merits and pass appropriate orders within a period of six 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 her representation and it is for the second respondent to consider it in accordance with law.

6.With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

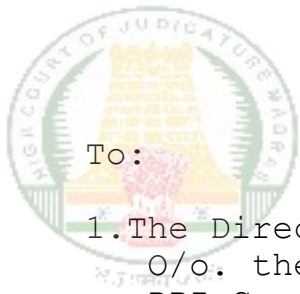
Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To:

1.The Director of School Elementary Education,
O/o. the Director of School Education,
DPI Campus,
Chennai -6.

2.The District Educational Officer,
O/o. the District Educational Officer,
Collectorate,
Virudhunagar District.

+1 CC to M/s.SPL.GP (SR-3916[F] dated 30/01/2020)

+1 CC to M/s.T.LAJAPATHY ROY, Advocate (SR-4154[F] dated 31/01/2020

W.P. (MD) No.1743 of 2020
29.01.2020

JMN(11.02.2020) 3P : 5C