



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2020

CORAM:

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

W.P. (MD) No.2011 of 2020

The Correspondent,
Al Ameen Urdu Tamil High School,
Melur,
Madurai.

... Petitioner

/vs./

1.The Chief Educational Officer,
Madurai Educational District,
Madurai.

2.The District Educational Officer,
Melur,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to pass orders on the proposal submitted by the petitioner dated 30.07.2019 and recommended by the second respondent vide his proceedings in Na.Ka.No.6832/A3/2019 dated 08.08.2019, within the time that may be stipulated by this Court.

For Petitioner : Mr.M.Mohaboob Athiff
For Respondents : Mr.M.Karuppasamy
Government Advocate

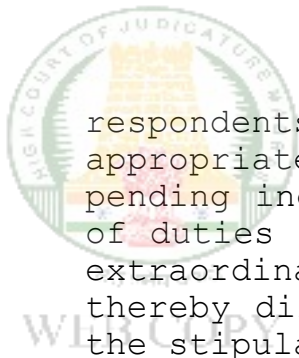
ORDER

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

2.Though the petitioner has sought for issuance of Writ of Mandamus to the first respondent to pass orders on the proposal submitted by the petitioner dated 30.07.2019, 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 he has already submitted a representation on 30.07.2019 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 first respondent herein to consider the petitioner's representation, dated 30.07.2019, on its own merits and pass appropriate orders within a period of twelve 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 first respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Chief Educational Officer,
Madurai Educational District,
Madurai.
2. The District Educational Officer,
Melur,
Madurai District.

+1 CC to SPL GP (SR-4553[F] dated 04/02/2020)

+1 CC to Mr.M.MAHABOOB ATHIFF, Advocate (SR-4378[F] dated 03/02/2020)

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