



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.02.2020**

CORAM:

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

W.P. (MD) No.2233 of 2020

A.Krishnaveni

... Petitioner

/vs./

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

2.The Block Education Officer,
O/o. Block Education Officer,
Palayamkottai,
Tirunelveli.

3.The Secretary,
AD. Primary School,
Ambikapuram,
Melapalayam,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to sanction the incentive for the petitioner for securing Master of Arts (Tamil) from the year 2016 based on her representation dated 01.06.2019 and in view of proceedings of the Director of School Education issued in Na.Ka.No. 083158/K/E1/2009 dated 20.11.2015 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For R1 & R2 : 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 the petitioner is that to consider the representation dated 01.06.2019 seeking to sanction the incentive to the petitioner for securing Master of Arts degree in Tamil from the year 2016.

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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 second respondent herein to consider the petitioner's representations dated 01.06.2019 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 her 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 (Crl.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

mm

To

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

2.The Block Education Officer,
O/o. Block Education Officer,
Palayamkottai,
Tirunelveli.



+1 CC to M/s.G.THALAIMUTHARASU, Advocate (SR-4960[F] dated 06/02/2020)

+1 CC to M/s.SPL GP (SR-5131[F] dated 06/02/2020)

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