



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2020

CORAM:

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

W.P. (MD) No.2768 of 2020

WEB COPY

P.Rajesh

... Petitioner

/Vs./

1.The Director,
Teachers Recruitment Board (TRB),
Chennai-6.

2.The Member Secretary,
Teacher Recruitment Board (TRB),
Chennai-6.

... Respondents

(R2 is *suo motu* impleaded vide order of this Court dated 12.02.2020)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider petitioner's representation dated 30.01.2020 within stipulated time fixed by this Court and to grant one mark to the question No.150 in the examination conducted by the respondent for the post of Post Graduate/Physical Education Directors Grade-I, 2018-2019 and to include the petitioner's name in the selection list.

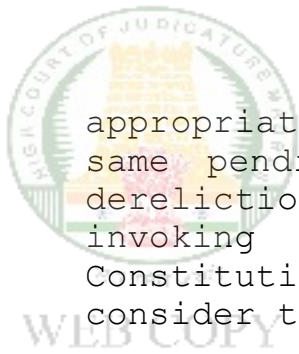
For Petitioner : Mr.R.Manimaran
For Respondents : Mr.VR.Shanmuganathan

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 his representation dated 30.01.2020 seeking for granting one mark to the question No.150 in the examination conducted by the respondents for the post of Post Graduate/Physical Education Directors Grade-I, 2018-2019 and to include the petitioner's name in the selection list.

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.It is stated by the learned Standing counsel for the respondent that the representation can be considered by the Member Secretary of the Recruitment Board, since there is no post of Director in the Recruitment Board. Accordingly, the Member Secretary, Teacher Recruitment Board, Chennai, is *suo motu* impleaded as party respondent.

5.In view of the above observations, there shall be a direction to the second respondent to consider the petitioner's representations dated 30.01.2020 on its own merits and pass appropriate orders within a period of four (4) 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 second respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar(AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

To:

1.The Director,
Teachers Recruitment Board (TRB),
Chennai-6.

2.The Member Secretary,
Teacher Recruitment Board (TRB),
Chennai-6.

Order made in
W.P. (MD) No.2768 of 2020
Dated:12.02.2020

GKG (CO)
TR(14.02.2020) 2P 3C