



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **12.02.2020**

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.2761 of 2020

WEB COPY

E.Jelin

... Petitioner

/vs./

1.The Chief Educational Officer,
Nagercoil, Kanyakumari District.

2.The Corporate Manager,
CSI Corporate Schools,
Kanyakumari Diocese,
Kanyakumari.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondents to consider the petitioner's representation in forth coming vacancy which arose in aided higher secondary school under the control of the second respondent.

For Petitioner	: Mr.K.A.Thirumalaiappan
For R-1	: Mr.M.Karuppasamy Government Advocate
For R-2	: Mr.S.C.Herold Singh

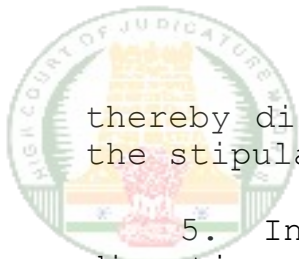
ORDER

Mr.M.Karuppasamy, learned Government Advocate, takes notice for the first respondent and Mr.S.C.Herold Singh, learned counsel takes notice for the second respondent

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

3. The limited prayer sought for by the petitioner is that to consider the representation dated 24.01.2020 seeking for appointment to the post of PG Assistant, Physics in any one of the forth coming vacancies at Kanyakumari diocese.

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 24.01.2020, 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 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 (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Cp

To:

1.The Chief Educational Officer,
Nagercoil, Kanyakumari District.

2.The Corporate Manager,
CSI Corporate Schools,
Kanyakumari Diocese,
Kanyakumari.

+1 CC to Mr.S.C.HEROLD SINGH, Advocate (SR-5895[F] dated 12/02/2020)

+1 CC to SPL.GP (SR-6121[F] dated 13/02/2020)

+1 CC to Mr.K.THIRUMALAIAPPAN, Advocate (SR-6169[F] dated 13/02/2020)

Order made in
W.P. (MD) No.2761 of 2020
Dated:12.02.2020

MK (25.02.2020) 2P 6C