



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH
W.P.(MD) Nos.2834 & 2837 of 2020

WEB COPY

S.Sugumar : Petitioner in W.P.(MD)No.2834/2020
R.Sekar : Petitioner in W.P.(MD)No.2837/2020

Vs

1. The Government of Tamil Nadu,
Rep by its Secretary,
School Education Department,
Fort St.George,
Chennai - 9.
2. The Director of School Education,
Directorate of School Education,
DPI Campus,
Chennai - 600006.
3. The Chief Educational Officer,
Tirunelveli. : Respondents in both WPs (MD)
4. The Head Master,
MPL Girls Higher Secondary School,
Meenakshipuram,
Tirunelveli Junction. : Respondent in W.P.(MD)No.
2834/2020
5. The Head Master,
Government Higher Secondary School,
Nadukallur - 627 001,
Tirunelveli District. : 4th Respondent in W.P.(MD)
No.2837/2020

COMMON PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to consider the petitioners' representation dated 09.01.2020 for regularizing their service in the post of PG Teacher till 01.06.2006, from the initial appointment date i.e.25.06.2004 and 13.07.2004 respectively.

For Petitioner
(in both Wps (MD)) : Mr.M.Ramasamy

For Respondents
(in both Wps (MD)) : Mr.M.Karuppasamy
Government Advocate



C O M M O N O R D E R

By consent of both parties, these Writ Petitions are taken up for final disposal at the stage of admission itself.

2. The limited prayer sought for by the petitioners is that to direct the respondents to consider the petitioners' representation dated 09.01.2020 to regularize the petitioners in their service in the post of PG Teacher till 01.06.2006, from the initial appointment date i.e. 25.06.2004 and 13.07.2004 respectively.

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 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.

4. In view of the above observations, there shall be a direction to the first respondent herein to consider the petitioners' representations dated 09.01.2020, 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 petitioners in their representations and it is for the respondents to consider it in accordance with law.

5. With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar ()

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/ /2020

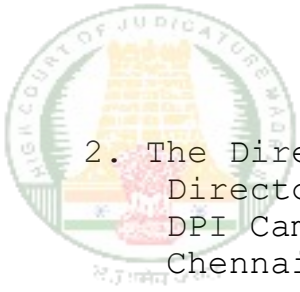
Sub Assistant Registrar(CS)

Vrn

To

1. The Government of Tamil Nadu,
Rep by its Secretary,
School Education Department,
Fort St. George,
Chennai - 9.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The Director of School Education,
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3. The Chief Educational Officer,
Tirunelveli.

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5. The Head Master,
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Nadukallur - 627 001,
Tirunelveli District.

+2 CC to Mr.P.DHANAPAL, Advocate SR-6206,62005

+1 CC to SPL.GP (SR-6313[F] dated 14/02/2020)

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MK (25.02.2020) 3P 9C