



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2020

CORAM:

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

W.P. (MD) No.4017 of 2020

WEB COPY

S.Thirumeni

... Petitioner

/vs./

1.The District Educational Officer,
Musuri, Trichy District.

2.The Block Educational Officer,
Musuri, Trichy District-621 601.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the first respondent to consider the representation of the petitioner dated 19.08.2019 with regards to revoking the order of suspension dated 24.06.2019 passed by the first respondent and requesting for request transfer from Panchayat Union Primary School, Karatampatti to Panchayat Union Primary School, Senthamangalam or any other school.

For Petitioner : Mr.S.N.Ravichandran
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.The limited prayer sought for the petitioner is that to consider the representation dated 19.08.2019 seeking for revoking the order of suspension dated 24.06.2019, passed by the first respondent and for transfer from Panchayat Union Primary School, Karatampatti to Panchayat Union Primary School, Senthamangalam or any other school.

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 petitioner's representation, dated 19.08.2019, 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 first respondent to consider it in accordance with law.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

To:-

1.The District Educational Officer,
Musuri, Trichy District.

2.The Block Educational Officer,
Musuri, Trichy District-621 601.

+1 CC to M/s.T.PON RAMKUMAR, Advocate (SR-8936[F] dated
27/02/2020)

+1 CC to M/s.SPL.GP (SR-9120[F] dated 28/02/2020)

Order made in
W.P. (MD) No.4017 of 2020
27.02.2020

KK/12.03.2020/ 2P- 5C

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