



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED: **28.02.2020**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**  
W.P.(MD)No.4157 of 2020

WEB COPY

J.Indra Devi

... Petitioner

/vs./

1.The Joint Director of School Education (Vocational)  
College Road, Chennai 600 006.

2.The Chief Educational Officer,  
Ramanathapuram,  
Ramanathapuram District.

3.The Headmaster,  
Government Higher Secondary School,  
Sathirakudi, Ramanathapuram District.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent CEO herein to consider the proposal submitted by the third respondent dated 24.01.2020 and the reminder submitted by the petitioner on 21.02.2020 to recommend the petitioner's candidature for the promotion of Computer Instructor Grade I.

|                 |   |                                         |
|-----------------|---|-----------------------------------------|
| For Petitioner  | : | M/s.A.Mala                              |
| For Respondents | : | Mr.M.Karuppasamy<br>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 by the petitioner is that to consider the proposal sent by the third respondent dated 24.01.2020 as well as the petitioner's representation dated 24.01.2020 seeking for promotion of Computer Instructor Grade I.

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 representation dated 24.01.2020 as well as the proposal sent by the third respondent 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.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmk

To

1.The Joint Director of School Education (Vocational)  
College Road, Chennai 600 006.

2.The Chief Educational Officer,  
Ramanathapuram,  
Ramanathapuram District.

3.The Headmaster,  
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Sathirakudi, Ramanathapuram District.

+1 CC to M/s.A.AMALA, Advocate ( SR-9154[F] dated 28/02/2020 )

+1 CC to SPL GP ( SR-9522[F] dated 02/03/2020 )

Order made in  
W.P.(MD) No.4157 of 2020  
28.02.2020

VB(13.03.2020) 2P 6C