



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.01.2020**

CORAM:

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

W.P. (MD)No.26479 of 2019

WEB COPY

G.R.Kalaiarasi

... Petitioner

/vs./

- 1.The Secretary,
Department of Education,
Government of Tamilnadu,
Fort St.George,
Chennai 600 002.
- 2.The Principal Secretary/Commissioner of
Treasuries and Accounts,
Government of Tamilnadu,
CPS Cell, Government Data Centre,
Guindy,
Chennai 600 025.
- 3.The Accountant General,
O/o. the Accountant General,
Teynampet,
Chennai - 18.
- 4.The Joint Director,
Directorate of School Education,
DPI Building,
College Road,
Nungambakkam,
Chennai.
- 5.The Chief Educational Officer,
CEO Office,
Thiruvallur District,
Chennai.
- 6.The Chief Educational Officer,
CEO Office,
Tallakulam,
Madurai District.
- 7.The District Educational Officer,
DEO Office,
Ambattur,
Chennai - 600 053.



8.The Headmistress,
Government Girls High School,
Mohappair East,
Chennai - 37.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 and 4 to pass appropriate order, on ascertaining the particulars from the respondents 4 to 8 based on the representation of the petitioner dated 24.03.2016, the reminder dated 2.2.2018 and the fresh representation dated 4.9.2019 for disbursement of Gratuity payable to the petitioner.

For Petitioner : Mr.R.Murugan

For R1, R2 & R4 to R6 : Mr.M.Karuppasamy
Government Advocate

For R3 : Mr.P.Gunasekaran

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 04.09.2019 seeking to pass appropriate orders on ascertaining the particulars from the respondents 4 to 8.

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 fifth respondent herein to consider the petitioner's representations dated 04.09.2019, 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 petitioner in his representation and it is for the fifth respondent to consider it in accordance with law.



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

WEB COPY

Sd/-

Assistant Registrar (crl side)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

mm

To

1. The Secretary,
Department of Education,
Government of Tamilnadu,
Fort St. George,
Chennai 600 002.
2. The Principal Secretary/Commissioner of
Treasuries and Accounts,
Government of Tamilnadu,
CPS Cell, Government Data Centre,
Guindy,
Chennai 600 025.
3. The Accountant General,
O/o. the Accountant General,
Teynampet,
Chennai - 18.
4. The Joint Director,
Directorate of School Education,
DPI Building,
College Road,
Nungambakkam,
Chennai.
5. The Chief Educational Officer,
CEO Office,
Thiruvallur District,
Chennai.
6. The Chief Educational Officer,
CEO Office,
Tallakulam,
Madurai District.



7.The District Educational Officer,
DEO Office,
Ambattur,
Chennai - 600 053.

WEB COPY

+1 CC to SPL.GP (SR-2133[F] dated 21/01/2020)

+1 CC to Mr.P.GUNASEKARAN, Advocate (SR-2014[F] dated 20/01/2020)

+1 CC to Mr.R.MURUGAN, Advocate (SR-2472[F] dated 22/01/2020)

W.P. (MD) No.26479 of 2019

20.01.2020

VB(29.01.2020) 4P 11C