



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **02.01.2020**

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH
W.P. (MD)No.27360 of 2019

WEB COPY

J.Viji

... Petitioner

/vs./

1.The Joint Director,
Directorate of School Education,
DPI Campus, College Road,
Nungambakkam,
Chennai-600 006.

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

... 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 case for participating in the forthcoming transfer counseling based on her representation dated 08.11.2019 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu
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 08.11.2019 seeking for participating in the forthcoming transfer counseling.

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 08.11.2019 on its own merits and pass appropriate orders within a period of six (6) 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 her 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 (crl.side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

To

1.The Joint Director,
Directorate of School Education,
DPI Campus, College Road,
Nungambakkam,
Chennai-600 006.

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

+1 CC to SPL.GP (SR-102[F] dated 03/01/2020)

+1 CC to Mr.G.THALAIMUTHARASU, Advocate (SR-23[F] dated
02/01/2020)

Order made in
W.P.(MD) No.27360 of 2019
Dated:02.01.2020

MK (20.01.2020) 2P 5C