

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 29.04.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.10935 of 2021

D.Sathiyaseelan

...Petitioner

Vs

1.The Director of School Education,
College Road, Chennai-6

2.The Joint Director,
College Road, Chennai-6.

3.The District Education Officer,
Chidambaram,
Cuddalore.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1 and 2 respondents to consider and pass orders on the representation of the petitioner dated 23.11.2020 and 28.12.2020, with regard to take appropriate action against the erring officials in the office of the third respondent.

For Petitioner : Mr.S.N.Ravichandran

For Respondents: Mr.P.Raja, GA

ORDER

Since the petitioner's request to the respondents to action against the erring officials in the office of the third respondent was not considered, the present writ petition has been filed. According to the petitioner, he has made representations in this regard on 23.11.2020 and 28.12.2020, which are still pending.

2. It is needless to point out that whenever representations of this nature are made to a Statutory Authority, 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. As such, non-consideration of the representations by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

3. In the light of the above observations, it would be appropriate to direct the first and second respondents herein to consider the petitioner's representations dated 23.11.2020 and 28.12.2020, within a stipulated time and thereby, the ends of justice could be secured. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

4. Accordingly, there shall be a direction to the first and second respondents to consider the petitioner's representations dated 23.11.2020 and 28.12.2020 on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

sbn/hvk

To

1.The Director of School Education,
College Road, Chennai-6

2.The Joint Director,
College Road, Chennai-6.

3.The District Education Officer,
Chidambaram,
Cuddalore.

+1cc to Mr.S.N.Ravichandran, Advocate SR.No. 26263

+1 cc to Government Pleader Sr.No. 27023

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JPL(CO)

A.SK(07.07.2021)