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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.07.2021

CORAM

THE HON'BLE MR.JUSTICE M.S.RAMESH

W.P.No.17761 of 2018
and
W.M.P.No.21031 of 2018

1.J.Aatralarasu
2.A.Ramesh Kumar
3.S.Gopi
4.R.Rajesh
5.V.Manoharan
6.N.Vasanthi
7.M.Selvi
8.K.Shankar
9.D.Rajasekar
10.B.Hemalatha
11.G.Kalyani
12.P.Jeya Priya
13.S.Mullaivendan
14.E.Rangan
15.F.Maria Deepa ...Petitioners

Vs.

1. The State of Tamil Nadu,
   represented by
   the Principal Secretary to Government
   School Education Department,
   Secretariat, Chennai - 600 009.

2. The State Project Director,
   Sarva Siksha Abhiyan,
   DPI Campus, College Road,
   Chennai - 600 006.

3. The Chief Educational Officer,
   (District Chief Educational Officer)
   Vaigundapuram Street,
   Kanchipuram - 631 502.

4. The Chief Educational Officer,
   (District Chief Educational Office),
   Chinna Ekkadu, Jayanagar,
   Tiruvallur - 602 001.

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5. The District Educational Officer,
   (District Chief Educational Office Campus),
   Chinna Ekkadu, Jayanagar,
   Tiruvallur – 602 001.

6. The District Educational Officer,
   St.Thomas Mount,
   Office at Government Boys Higher Sec. School
   CLC Works Road,
   Chromepet, Chennai – 600 044.

7. The District Educational Officer
   No.11, Railway Station Road,
   Ponneri, Tiruvallur District – 601 204.

8. The District Educational Officer,
   Government Girls Higher Sec. School,
   Ambattur, Chennai – 600 053. ...Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to pay the salary for the months of May for the years 2012 to 2018 and continue to pay the salary to the petitioners.

For Petitioners : Mr.C.Selvaraju

For Respondents : Mr.K.V.Sajeev Kumar

O R D E R

By consent of both the parties, this writ petition is taken up for final disposal.

2. Since the petitioners' request to pay the salary for the month of May for the years 2012 to 2018 was not considered, the present writ petition has been filed. According to the petitioners, they have made representations in this regard on various dates to the respondents i.e., 29.05.2018, 05.06.2018, 06.06.2018, 07.06.2018, 12.06.2018, 13.06.2018, 26.06.2018, 29.06.2018, which is still pending.

3. It is needless to point out that whenever a representation of this nature is 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 representation by the Statutory Authority would amount to dereliction of duty and hence, this

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Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, it would be appropriate to direct the first and second respondents herein to consider the petitioners' representation on various dates viz., 29.05.2018, 05.06.2018, 06.06.2018, 07.06.2018, 12.06.2018, 13.06.2018, 26.06.2018, 29.06.2018, 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 petitioners and that it is open to the concerned respondents to consider the same on its own merits.

5. Accordingly, there shall be a direction to the first and second respondents to consider the petitioners' representation on various dates viz., 29.05.2018, 05.06.2018, 06.06.2018, 07.06.2018, 12.06.2018, 13.06.2018, 26.06.2018, 29.06.2018, on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

Pns

To

1. The Secretary to the Government of Tamil Nadu,
   School Education Department,
   Secretariat,
   Chennai - 600 009.

2. The State Project Director,
   Sarva Siksha Abhiyan,
   DPI Campus, College Road,
   Chennai - 600 006.

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   Tiruvallur - 602 001.

5. The District Educational Officer,
   (District Chief Educational Office Campus),
   Chinna Ekkadu, Jayanagar,
   Tiruvallur - 602 001.

6. The District Educational Officer,
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   Ponneri,
   Tiruvallur District - 601 204.

8. The District Educational Officer,
   Government Girls Higher Sec. School,
   Ambattur,
   Chennai - 600 053.

+1cc to M/s.C.S.Associates, Advocate, S.R.No.37076
+1cc to the Government Pleader, S.R.No.36962

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NRL(CO)
RGA(27/08/2021)

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