



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No.92 of 2021

S. Peter Raj

... Petitioner

Vs.

1. The Manager,
RC School, Bisho of Tuticorin,
Tuticorin Diocese, Bishops House,
Thoothukudi District.

2. The Correspondent,
St. Mary's Higher Secondary School,
Pothakalanvilai - 628 702.

3. The Head Mistress,
St. Mary's Higher Secondary School,
Pothakalanvilai - 628 702.

4. The District Educational Officer,
Tiruchendur - 628 215,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to pay the petitioner a sum of Rs.3,47,684/- as re-employment benefit with interest @ 18% by considering his representation dated 02.06.2020.

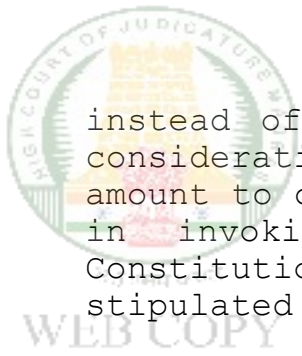
For Petitioner	:	Mr. I. Robert Chandrakumar.
For Respondents	:	Mr. SR. P. Antony Bopathy
1 to 3		
For Respondent	:	Mr. A. Thiyagarajan
No. 4		Government Advocate

ORDER

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

2. Since the petitioner's request to the respondents by way of his representation dated 02.06.2020 to pay him a sum of Rs.3,47,684/- as re-employment benefit with interest @ 18%, is not yet considered by the respondents, this writ petition has been filed.

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 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 1st and 2nd respondents herein to consider the petitioner's representation dated 02.06.2020, 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 view 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.

5.Accordingly, there shall be a direction to the 1st and 2nd respondents to consider the petitioner's representation dated 02.06.2020, on its own merits and pass appropriate orders in accordance with law, within a period of two 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.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

- 1.The Manager,
RC School, Bisho of Tuticorin,
Tuticorin Diocese, Bishops House,Thoothukudi District.
- 2.The Correspondent,
St.Mary's Higher Secondary School,Pothakalanvilai - 628 702.
- 3.The District Educational Officer,
Tiruchendur - 628 215,Thoothukudi District.

+1 CC to M/s.FATHER XAVIER ASSOCIATES, Advocate (SR-4510[F] dated 11/02/2021)

+1 CC to M/s.GP (SR-4939[F] dated 15/02/2021)

W.P. (MD) No.92 of 2021

11.02.2021

(NSM) CO

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