



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.156 of 2021

and

W.M.P (MD) No.135 of 2021

WEB COPY

N.Pramila Devi

...Petitioner

Vs

1.The Chief Educational Officer,
O/o.the Chief Educational Office,
Tirucharapalli,
Tirucharapalli District.

2.The District Educational Officer,
O/o.the District Educational Office,
Tirucharapalli,
Tirucharapalli District.

3.The Correspondent,
Savitri Vidyasala Hindu Girls' Higher Secondary School,
Chathiram Bus Stand Backside,
Tirucharapalli 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 approve the appointment of the petitioner as B.T.Assistant (Maths) w.e.f., 12.01.2018 in the third respondent school with all attendant monetary benefits and by considering the petitioner's representation dated 30.11.2020 within the period that may be stipulated by this Court.

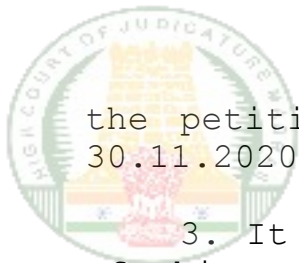
For Petitioner : Mr.C.Venkatesh Kumar
for Ajmal Associates

For R1&R2 : Mr.A.Thiyagarajan
Government Advocate

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself. Since no adverse order is going to be passed against the third respondent, notice to him is dispensed with.

2.Since the petitioner's request to the respondents to approve his appointment as B.T.Assistant (Maths) w.e.f.,12.01.2018 in the third respondent school with all attendant monetary benefits were not considered, the Writ Petition has been filed. According to



the petitioner, he has made a representation in this regard on 30.11.2020, 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 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 respondent herein to consider the petitioner's representation dated 30.11.2020, within a stipulated time and thereby the ends of justice could be secured.

5. Accordingly, there shall be a direction to the first respondent to consider the petitioner's representation dated 30.11.2020, 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 (CRL.SIDE)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

CP

NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The Chief Educational Officer,
O/o.the Chief Educational Office,
Tirucharapalli,
Tirucharapalli District.

2.The District Educational Officer,
O/o.the District Educational Office,
Tirucharapalli,
Tirucharapalli District.

+1 CC to SGP (SR-822[F] dated 11/01/2021)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-467[F] dated
07/01/2021)

Order made in
W.P. (MD) No.156 of 2021
AND
WMP (MD) No.135 of 2021
07.01.2021

KM (22.01.2021) 3P 5C