



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

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

and

W.M.P (MD) No.125 of 2021

WEB COPY

M.Sudha

...Petitioner

Vs

1.The Secretary to Government,
Education Department,
Government of Tamil Nadu,
Fort St.George, Chennai.

2.The Teachers Recruitment Board,
Represented by the Chairman,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai-600 006.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to include the petitioner's name in the Revised Provisional Selection List and appoint her as Computer Instructors Grade-I (Post Graduate cadre).

For Petitioner : Mr.C.Arulvadivel @ Sekar

For R-1 : Mr.A.Thiyagarajan
Government Advocate

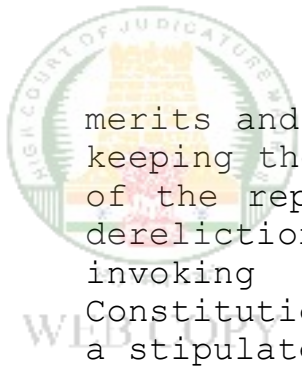
For R-2 : Mr.V.R.Shanmuganathan
Standing Counsel

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.

2.Since the petitioner's request to the respondents to include her name in the Revised Provisional Selection List and appoint her as Computer Instructors Grade-I (Post Graduate cadre) were not considered, the Writ Petition has been filed. According to the petitioner, she has made a representation in this regard on 31.12.2020, 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 second respondent herein to consider the petitioner's representation dated 31.12.2020, within a stipulated time and thereby the ends of justice could be secured.

5. Accordingly, there shall be a direction to the second respondent to consider the petitioner's representation dated 31.12.2020, on its own merits and pass appropriate orders in accordance with law, within a period of four 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 (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

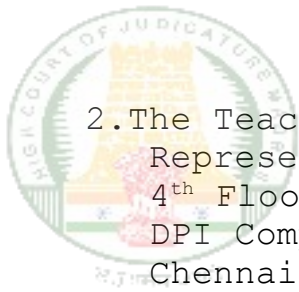
cp

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 Secretary to Government,
Education Department,
Government of Tamil Nadu,
Fort St. George, Chennai.



2.The Teachers Recruitment Board,
Represented by the Chairman,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai-600 006.

+1 CC to Mr.C.ARUL VADIVEL @ SEKAR, Advocate (SR-397[F] dated
07/01/2021)

+1 CC to SGP (SR-821[F] dated 11/01/2021)

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

KM (01.02.2021) 3P 5C