



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.2202 of 2021

N.Krishnaveni

...Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai - 600 009.

2.The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006.

3.The District Educational Officer,
Thanjavur Education District,
Thanjavur.

4.The District Educational Officer,
Kumbakonam Education District,
Kumbakonam, Thanjavur District.

5.The Block Educational Officer,
Kumbakonam Union,
Kumbakonam,
Thanjavur District.

6.The Correspondent,
Raman Aided Primary School,
Manancheri, Kumbakonam, Thanjavur 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 sanction annual increment to the petitioner in the post of Secondary Grade Teacher for the year 2016 and to pay arrears of salary for the period from 09.02.2016 to 09.11.2016 along with revision of pay, with all consequential and other attendant benefits, including the payment of interest for the delay in payment as well as the Bonus increment for completion of 30 years service in the post of Secondary Grade Teacher, based on



the representation submitted by the petitioner dated 20.10.2020, within a time frame to be fixed by this Court.

For Petitioner : Mr.E.Deepak

For Respondents : Mr.A.Thiyagarajan
Government Advocate

WEB COPY

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 sanction annual increment to the petitioner in the post of Secondary Grade Teacher for the year 2016 and to pay arrears of salary for the period from 09.02.2016 to 09.11.2016 along with revision of pay, with all consequential and other attendant benefits, including the payment of interest for the delay in payment as well as the Bonus increment for completion of 30 years service in the post of Secondary Grade Teacher, was not considered, the Writ Petition has been filed. According to the petitioner, she has made a representation in this regard on 20.10.2020, 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 20.10.2020, 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 second respondent to consider the petitioner's representation dated 20.10.2020, 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.

WEB COPY

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TM

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 Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai - 600 009.
- 2.The Director of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006.
- 3.The District Educational Officer,
Thanjavur Education District,
Thanjavur.
- 4.The District Educational Officer,
Kumbakonam Education District,
Kumbakonam, Thanjavur District.
- 5.The Block Educational Officer,
Kumbakonam Union,
Kumbakonam,
Thanjavur District.



6.The Correspondent,
Raman Aided Primary School,
Manancheri, Kumbakonam, Thanjavur District.

+1 CC to MR.G.SANKARAN, Advocate (SR-3954[F] dated 09/02/2021)

+1 CC to SPL GP (SR-4613[F] dated 11/02/2021)

W.P. (MD) No.2202 of 2021
09.02.2021

KM (22.02.2021) 4P 9C