



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P(MD)No.17142 of 2019

WEB COPY

Mercy Geloria

...Petitioner

Vs.

1.The District Collector,
Trichy.

2.The Chief Educational Officer,
Chief Educational Office, Trichy.

3.The District Educational Officer,
Lalgudi District Education Office,
Lalgudi, Trichy.

4.The Correspondent,
St. Valanar Girls Higher Secondary School,
Vadukar Pettain, Lalgudi Taluk,
Trichy District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to regularise the pay to this petitioner on par with other Sweepers working in other institutions of Government.

For Petitioner	: Mr.A.Balakrishnan
For Respondent	: Mr.N.Shanmugaselvam,
Nos. 1 to 3	Additional Government Pleader'
For Respondent	: Mr.V.John Kennedy,
No.4	for M/s.Father Xavier Associates

O R D E R

Since the representation dated 27.06.2019 submitted by the petitioner seeking pay parity has not been considered by the third respondent, the petitioner has filed the present writ petition.

2. 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.



3.In the light of the above observations, it would be appropriate to direct the third respondent herein to consider the representation of the petitioner dated 27.06.2019 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.

4.Accordingly, there shall be a direction to the third respondent to consider the representation of the petitioner dated 27.06.2019 on its own merits and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

DSK

To

- 1.The District Collector,
Trichy.
- 2.The Chief Educational Officer,
Chief Educational Office, Trichy.
- 3.The District Educational Officer,
Lalgudi District Education Office,
Lalgudi, Trichy.

+1 CC to M/s.FATHER XAVIER ASSOCIATES(SR-9562[F] dated 09/03/2021)
+1 CC to THE SPECIAL GOVERNMENT PLEADER(SR-9665[F] dated 09/03/2021)
+1 CC to Mr.A.BALAKRISHNAN, Advocate (SR-9973[F] dated 10/03/2021)

Order made in
W.P (MD) No.17142 of 2019
08.03.2021

MA (CO)
SRS (18/03/2021) 2P : 7C