



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.19842 of 2020

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Chetric Charles

...Petitioner

Vs

1.The District Educational Officer,
Cheranmahadevi,
Tirunelveli District.

2.The Correspondent,
St.Mary's Hr.Sec.School,
Vickramasingapuram,
Tirunelveli District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents to disburse the petitioner's salary for the service rendered as P.G.Assistant Teacher in the 2nd respondent school as a substitute for Mr.John Peter for the academic years 2015-2016 and 2016-2017 in the 2nd respondent school in the place of Mr.John Peter by considering petitioner's representation dated 07.10.2020.

For Petitioner : Ms.Geetha.D
For R1 : 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.

2.The limited prayer sought for in the present Writ Petition is to issue a direction to the first respondent herein to disburse the petitioner's salary for the service rendered by him as a substitute for the Academic Years 2015-2016 and 2016-2017 in the second respondent School. Since the petitioner's earlier representation dated 07.10.2020 in this regard has not been considered, the present Writ Petition has been filed.

3. Whenever a representation of this nature is made to a Statutory Authority to redress the claim of the employee, 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. Such an inaction would amount to dereliction of duty and thereby this Court would 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 07.10.2020, within a stipulated time and thereby the ends of justice could be secured.

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5. Accordingly, the first respondent herein is called upon to consider the petitioner's representation dated 07.10.2020, on its own merits and pass appropriate orders in accordance with law, atleast within a period of six 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)

vrn

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 District Educational Officer,
Cheranmahadevi,
Tirunelveli District.

2.The Correspondent,
St.Mary's Hr.Sec.School,
Vickramasingapuram,
Tirunelveli District.

+1 CC to M/s.GP (SR-83[F] dated 05/01/2021)

+1 CC to M/s.D.GEETHA, Advocate (SR-156[F] dated 05/01/2021)

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MK (CO)

KK (19.01.2021) 2P 5C

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