



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.NO.8375 OF 2013

S.Sagunthala

...Petitioner

-Vs-

1. The Secretary to Government,
School Education Department,
Fort St. George, Chennai - 9.
2. The Director of School Education,
DPI Compound, College Road,
Chennai - 6.
3. The District Educational Officer,
Tiruvarur, Tiruvarur District.
4. The Correspondent,
St.Joseph's Girls Higher
Secondary School,
Mannargudi,
Tiruvarur District - 614 001.

...Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records in pursuant to the impugned order passed by the 3rd respondent in proceedings R.C.No.7506/2011/B2 dated 29.12.2011, quash the same and consequently direct the respondents to regularize the services of the petitioner in the permanent post of Sweeper with effect from her initial date of appointment in the regular time scale of pay with all monetary and other service benefits.

For Petitioner : Mr.M.Loganathan

For R1 to R3 : Mr.T.Chezhiyan,
Additional Government Pleader

For R4 : No Appearance



ORDER

With the consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner herein had given a representation to the respondents on 26.11.2012, seeking for regularization of her services in the post of Sweeper with effect from the date of appointment, along with all service and monetary benefits. Since the said representation was not considered, the present writ petition has been filed.

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, there shall be a direction to the respondents herein to consider the petitioner's representation dated 26.11.2012 on its own merits and pass appropriate orders in accordance with law, within a period of 8 weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views 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. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

hvk



To

1. The Secretary to Govt.,
School Education Department,
Fort St. George, Chennai - 9.
2. The Director of School Education,
DPI Compound, College Road,
Chennai - 6.
3. The District Educational Officer,
Tiruvarur, Tiruvarur District.

+lcc to Mr.M.Loganathan, Advocate, S.R.No.20785

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MG(CO)
PM/11/04/2022