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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.13593 of 2022

Tmt.R.Sathya
Headmaster,
Mogamurai Aided Primary School,
Thottiyapatti, Vennanthur,
Namakkal District. ... Petitioner

Vs.

- 1.The Director of Elementary Education,
College Road, Chennai - 6.
- 2.The District Education Officer,
Namakkal.
- 3.The Block Education Officer,
Vennanthur, Namakkal District.
- 4.The Secretary,
Mogamurai Aided Primary School,
Thottiyapatti, Vennanthur,
Namakkal District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to grant exemption of passing of Teachers Eligibility Test for appointment of the petitioner as Headmaster, w.e.f. 12.10.2012, in the fourth respondent school, in the light of G.O.Ms.No.12, School Education dated 30.01.2020, by considering the representation of the petitioner dated 14.02.2022.

For Petitioner : Mr.S.N.Ravichandran

For Respondents: Mr.P.Ganesan
Government Advocate
for R1 to R3

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.



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2. The petitioner herein had given a representation to the respondents on 14.02.2022 seeking for exemption for passing of Teachers Eligibility Test for his appointment as Headmaster. 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 the 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 first respondent herein to consider the petitioner's representation dated 14.02.2022 on its own merits and pass appropriate orders in accordance with law, within a period of twelve (12) 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(Vacation Officer)

//True Copy//

Sub Assistant Registrar

Sni/Vsi2

To

1.The Director of Elementary Education,
College Road, Chennai - 6.

2.The District Education Officer,Namakkal.

3.The Block Education Officer,
Vennanthur, Namakkal District.

4.The Secretary,
Mogamurai Aided Primary School,
Thottiyapatti, Vennanthur,Namakkal District.

+1 cc to Mr.S.N.Ravichandran, Advocate Sr.NO. 32005

W.P.No.13593 of 2022

RSV(CO)

A.SK(13/06/2022)

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