



IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 03.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No. 13946 of 2022

A.G.Karthik

...Petitioner

Vs.

1. The District Educational Officer,
District Education Office,
Avadi, Thiruvallur District - 600 054.
2. The Block Educational Officer,
Block Educational Office,
Poonamallee,
Chennai - 600 056.
3. The Correspondent,
T.B.M.Middle School (Minority),
No.10, Trunk Road,
Poonammalle,
Chennai - 600 056.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the first respondent to grant approval to the appointment of the petitioner as Middle School Headmaster in the third respondent school with effect from 15.02.2021 and pay the arrears of salary with effect from 15.02.2021 till date.

For Petitioner : Mr.S.Ayyathurai

For R1 & R2 : Mr.E.Vijay Anand
Additional Government Pleader

ORDER

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

2. The petitioner herein had given a representation to the first respondent on 15.02.2022 seeking for grant of approval to his appointment in the third respondent school. 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 first respondent herein to consider the petitioner's representation dated 15.02.2022 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. 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

Pns

To

1. The District Educational Officer,
District Education Office,
Avadi, Thiruvallur District - 600 054.
2. The Block Educational Officer,
Block Educational Office,
Poonamallee,
Chennai - 600 056.



3. The Correspondent,
T.B.M.Middle School (Minority),
No.10, Trunk Road,
Poonammalle,
Chennai - 600 056.

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+1cc to M/s.M.Elumalai, Advocate, S.R.No.32354

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PMK (CO)

RGA (17/06/2022)