



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.06.2022

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No.10904 of 2022

P.Vijayanand

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
represented by its Principal Secretary to Government,
School Education Department,
Fort St.George,
Chennai - 600 009.
- 2.The Commissioner,
School Education Department,
DPI Campus,
Nungambakkam,
Chennai - 6.
- 3.The Joint Director of School Education Department, (Personnel),
College Road, Nungambakkam,
Chennai.
- 4.The Joint Director of School Education Department, (Higher
Secondary),
College Road, Nungambakkam,
Chennai.
- 5.The Chief Educational Officer,
O/o. The Chief Educational Office,
Thoothukudi District.
- 6.The Chief Educational Officer,
O/o. The Chief Educational Office,
Virudhunagar District.
- 7.The Headmaster,
Government Higher Secondary School,
Naranapuram,
Sivakasi Taluk,
Virudhunagar District.
- 8.The Headmaster,
Government Higher Secondary School,
Poodhalapuram,



Vilathikulam Taluk,
Thoothukudi District.

9.The Headmaster,
Government Higher Secondary School,
Naalatinuthoor,
Kovilpatti Taluk,
Thoothukudi District.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to relieve the petitioner and allow him to join in Government Higher Secondary School, Vilathikulam, Thoothukudi, in conformity with the proceedings of the 6th respondent dated 09.03.2022 within the period that may be stipulated by this Court.

For Petitioner : Mr.Mohammed Imran for
M/s.Ajmal Associates
For Respondents : Mr.A.Kannan
Additional Government Pleader

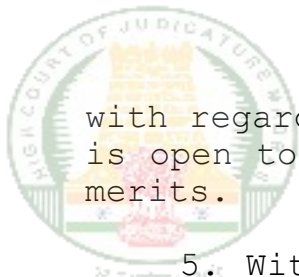
O R D E R

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 respondents on 12.04.2022 seeking to relieve the petitioner and allow him to join in Government Higher Secondary School, Vilathikulam, Thoothukudi, in conformity with the proceedings of the 6th respondent dated 09.03.2022. 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 third respondent herein to consider the petitioner's representation dated 12.04.2022 on its own merits and pass appropriate orders in accordance with law, within a period of two (2) 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-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Principal Secretary to Government,
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Chennai - 600 009.
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- 5.The Chief Educational Officer,
O/o. The Chief Educational Office,
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- 6.The Chief Educational Officer,
O/o. The Chief Educational Office,
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- 7.The Headmaster,
Government Higher Secondary School,



Sivakasi Taluk,
Virudhunagar District.

8.The Headmaster,
Government Higher Secondary School,
Poodhalapuram,
Vilathikulam Taluk,
Thoothukudi District.

9.The Headmaster,
Government Higher Secondary School,
Naalatinuthoor,
Kovilpatti Taluk,
Thoothukudi District.

+1 CC to M/s.SPL.GP (SR-24590[F] dated 08/06/2022)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-24568[F] dated
08/06/2022)

W.P.(MD) No.10904 of 2022
07.06.2022

NSN(CO)
KB(15.06.2022) 4P 12C