



WP(MD)No.12107 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.08.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.12107 of 2022

K.Raja

... Petitioner

/vs./

1.The Director of School Education,
Now re-designated as the Commissioner,
The Directorate of School Education,
DPI Complex, Chennai – 06.

2.The Joint Director (Kallar Reclamation)
Backward and Most Backward Welfare,
Madurai.

3.Mrs.Shanmugapriya

4.Mrs.Mohanapriya

5.Mrs.Laxmi Priya

6.Mrs.Latha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to conduct a detailed



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enquiry as per the order of the 1st respondent in his proceedings in Na.Ka.No. 33663/A1/E2/2020 dated 28.11.2020 based on the representation of the petitioner dated 11.12.2019.

For Petitioner : Mr.N.Stalin

For Respondents : Mr.S.Shaji Bino,
Special Government Pleader for R1 & R2

Mr.S.Prasanth for R4 to R6

ORDER

The petitioner herein had given a representation to the first respondent on 11.12.2019, seeking to conduct a detailed enquiry as per the order of the 1st respondent in his proceedings in Na.Ka.No.33663/A1/E2/2020 dated 28.11.2020. Since the said representation was not considered, the present writ petition has been filed.

2. 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-



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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.

3. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representation dated 11.12.2019, as per the order of the 1st respondent in his proceedings in Na.Ka.No. 33663/A1/E2/2020, dated 28.11.2020, after giving due opportunity to the respondents 3 to 6 as well as the petitioner herein and pass final orders in accordance with law, within a period of three (3) months, from the date of receipt of a copy of this order, if not already passed. 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.

4. With the above direction, the Writ Petition stands disposed of. No costs.

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vsm

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M.S.RAMESH, J.

vsm

To

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Order made in
W.P.(MD) No.12107 of 2022

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