



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.06.2022**

CORAM:

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

W.P.(MD)No.12239 of 2022

K.Mary Stella Bai

... Petitioner

/vs./

1.The Secretary to the Government,
School Education Department,
Government of Tamil Nadu,
Fort.St.George, Chennai.

2.The Director of School Education,
Office of Director of School Education,
Chennai 600 006.

3.The District Education Officer,
O/o.The District Education District,
Thuckalai, Kanyakumari District.

4.The Correspondent,
Saint Joseph High School,
Saral, Saral Post,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to grant Selection Grade Scale of pay after 10 years from the date of her appointment i.e., from 01.06.1997, instead 02.06.2003, the date of completion of child psychology training on the basis of the Judgment in *S.Karthigairani vs The State of Tamil Nadu WP(MD). No.20767 of 2014 dated 27.08.2020* and to grant all consequential benefits to the petitioner.

For Petitioner	:	Mr.K.Sami Durai
For R1 to R3	:	Mr.V.Nirmal Kumar
		Government Advocate

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 respondents on 24.09.2021 seeking for grant of Selection Grade Scale of pay after 10 years from the date of her appointment i.e., from 01.06.1997, instead 02.06.2003, the date of completion of child psychology training and to grant all consequential benefits to the



petitioner. 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 second respondent herein to consider the petitioner's representation dated 24.09.2021 on its own merits and pass appropriate orders in accordance with law, within a period of eight (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-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

1.The Secretary to the Government,
School Education Department,
Government of Tamil Nadu,
Fort.St.George, Chennai.

2.The Director of School Education,
Office of Director of School Education,
Chennai 600 006.



3.The District Education Officer,
O/o.The District Education District,
Thuckalai, Kanyakumari District.

+1 CC to M/s.K. SAMIDURAI, Advocate (SR-26617[F] dated 17/06/2022)

+1 CC to M/s.SPL.GP (SR-26756[F] dated 20/06/2022)

Order made in
W.P. (MD) No.12239 of 2022
Dated:17.06.2022

CK(CO)

GC(29.06.2022) 3P 6C