



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) .No.13665 of 2022

and

W.M.P. (MD) .No.9720 of 2022

P.Krishnaveni

... Petitioner

Vs.

1.The Commissioner of School Education,
DPI Campus,
College Road,
Chennai - 600 006.

2.The Director of Elementary Education,
DPI Campus,
College Road,
Chennai - 600 006.

3.The Chief Educational Officer,
Theni.

4.The District Educational Officer,
Theni.

5.The Block Educational Officer,
Bodinayakanur Union,
Theni.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to consider the petitioner's representations dated 20.06.2022 and 25.06.2022 within a time to be stipulated by this Court.

For Petitioner : Mr.S,Venkateesh
for Mr.A.Sivaji

For Respondents : Mr.S.Shaji Bino,
Special Government Pleader.

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.
<https://hcservices.ecourts.gov.in/cases>



2. The petitioner herein had given representations to the respondents on 20.06.2022 and 25.06.2022 seeking for transfer. Since the said representations were not considered, the present Writ Petition has been filed.

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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 representations dated 20.06.2022 and 25.06.2022 on its own merits and pass appropriate orders in accordance with law, within a period of one (1) week 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. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

Lm/Nsr

To

1.The Commissioner of School Education,
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College Road,
Chennai - 600 006.

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Theni.

+2 CC to M/s.A. SIVAJI, Advocate (SR-28716[F] dated 29/06/2022)

+1 CC to M/s.SPL.GP (SR-28981[F] dated 30/06/2022)

W.P. (MD) .No.13665 of 2022
29.06.2022

NSN(CO)

GC(08.07.2022) 3P 9C