



WP(MD)No.14435 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.07.2022**

CORAM:

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

W.P.(MD)No.14435 of 2022

Santhi

... Petitioner

/vs./

- 1.The Chief Educational Officer,
Thoothukudi District,
Thoothukudi.
- 2.The District Educational Officer,
Tiruchendur Education District,
Thoothukudi District.
- 3.The Block Education Officer,
Alwarthirunagari Block Education Circle,
Thenthirupera,
Thoothukudi District.
- 4.The School Correspondent,
Eka Retchagar Sabai Middle School,
Mukuperi,
Thoothukudi District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent Nos.1 to 3 to consider the petitioner's representations dated 06.05.2022 and 08.06.2022 within a stipulated period framed by this Court.

For Petitioner : Mr.P.Balamurugan
for M/s.J.David Ganesan

For R-1 to R-3 : Mr.A.Kannan
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 representations to the respondents on 06.05.2022 and 08.06.2022 seeking for disbursement of arrears of salary and the increments. 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 representation dated 06.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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.



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19.07.2022

Index : Yes / No

Internet : Yes / No

btr

To

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M.S.RAMESH, J.

btr

Order made in
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