



WP(MD)No.15586 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.15586 of 2022

P.Mahalakshmi

... Petitioner

/vs./

1.The Join Director,
School Education Department (Hr.Sec.),
DPI Complex, College Road,
Chennai – 600 006.

2.The Chief Educational Officer,
Dindigul District,
Dindigul.

3.The Headmaster,
Government Girl's Hr.Sec.School,
Natham, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 3rd respondent to send his proposal to the 1st and 2nd respondents in regard to rectify the pay anomaly on par with the petitioner Junior, J.Lakshmanan, B.T.Assistant (Tamil), Govt. Girls Hr.Sec.School, Natham, Dindigul District, in the light of the proceedings passed by the 2nd respondent in Na.Ka.No.2222/A3/2021 dated 27.04.2021 within the time limit that may be stipulated by this Court.



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For Petitioner : Mr.M.Mohanasundaram

For Respondents : 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 a representation to the respondents on 23.03.2021 seeking for a proposal with regard to rectification of the pay anomaly on par with the petitioner's Junior, J.Lakshmanan, B.T.Assistant (Tamil), Govt. Girls Hr.Sec.School, Natham, Dindigul District, in the light of the proceedings passed by the second respondent in Na.Ka.No.2222/A3/2021 dated 27.04.2021. 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



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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 and third respondents herein to consider the petitioner's representation dated 23.03.2021, 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.

19.07.2022

Index : Yes / No

Internet : Yes / No

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M.S.RAMESH, J.

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To:

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- 2.The Chief Educational Officer,
Dindigul District,
Dindigul.
- 3.The Headmaster,
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Order made in
W.P.(MD) No.15586 of 2022

Dated:
19.07.2022