



WP(MD)No.16601 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.07.2022**

CORAM:

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

W.P.(MD)No.16601 of 2022

G.Nancy Lavanya

... Petitioner

/vs./

1.The Commissioner of School Education,
DPI Campus,
Chennai-6.

2.The Joint Director of School Education (Higher Secondary),
DPI Campus,
Chennai-6.

3.The Chief Educational Officer,
Office of the Chief Educational Officer,
Theni,
Theni District.

4.The District Educational Officer,
Office of the District Educational Officer,
Uthamapalayam,
Theni 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 third respondent to grant incentive increment to the petitioner for acquiring M.Phil Degree along with other consequential benefits within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondent : Mr.S.Shaji Bino
Special 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 20.06.2022 seeking to grant incentive increment to the petitioner for acquiring M.Phil Degree along with other consequential benefits at the earliest in accordance with G.O.Ms.No.200 Personnel and Administrative Reforms (A) Department, dated 19.04.1996. Since the said representation was 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 third respondent herein to consider the petitioner's representation dated 20.06.2022 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.



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28.07.2022

Index : Yes / No

Internet : Yes / No

btr

To

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M.S.RAMESH, J.

btr

Order made in
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