



WP(MD)No.17490 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.17490 of 2022

K.Deepa

... Petitioner

/vs./

1.The Commissioner of Adi Dravidar Welfare,
O/o., the Commissioner of Adi Dravidar Welfare,
Chepauk, Chennai-5

2.The District Adi Dravidar & Tribal Welfare Officer,
O/o., the District Adi Dravidar & Tribal Welfare,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to transfer the petitioner to the post of Secondary Grade Teacher at Adi Dravidar Welfare Primary Shool, Sorampatti, Virudhunagar District by granting preference as per the norms laid in Government Order in G.O.No.25 Adi Dravidar and Tribal Welfare Department dated 08.02.2021 within the time stipulated by this Court.

For Petitioner : Mr.T.Aswin Rajasimman
For Respondents : Mr.R.Ragavendran
Government Advocate



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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 30.07.2022 seeking to transfer the petitioner to the post of Secondary Grade Teacher at Adi Dravidar Welfare Primary Shool, Sorampatti, Virudhunagar District by granting preference as per the norms laid in Government Order in G.O.No.25 Adi Dravidar and Tribal Welfare Department dated 08.02.2021. 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 other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to



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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 first respondent herein to consider the petitioner's representation dated 30.07.2022 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 respondents to consider the same on its own merits.

5.With the above direction, the Writ Petition stands disposed of. No costs.

04.08.2022

Index : Yes / No

Internet : Yes / No

Rmk



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M.S.RAMESH, J.

Rmk

To

- 1.The Commissioner of Adi Dravidar Welfare,
O/o., the Commissioner of Adi Dravidar Welfare,
Chepauk, Chennai-5
- 2.The District Adi Dravidar & Tribal Welfare Officer,
O/o., the District Adi Dravidar & Tribal Welfare,
Virudhunagar District.

Order made in
W.P.(MD) No.17490 of 2022

04.08.2022