



WP(MD)No.18285 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.18285 of 2022

M.Murugan

... Petitioner

/vs./

- 1.The Chief Educational Officer,
O/o., The Chief Educational Office,
Madurai, Madurai District.
- 2.The District Educational Officer,
O/o., The District Educational Office,
Madurai, Madurai District.
- 3.The Block Educational Officer,
O/o., The Block Educational Office,
R.M.S.Road, South Block,
Madurai 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 pass appropriate orders by considering the petitioner's representation dated 18.05.2022 and 06.08.2022 to accommodate/transfer the petitioner as Secondary Grade Teacher in any of the vacancy available in the nearby School within the period that may be stipulated by this Court.



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For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

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.

2.The petitioner herein had given a representation to the respondents on 18.05.2022 seeking for cancellation of his transfer order issued by the second respondent, dated 25.03.2022. 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 dereliction of duty and hence, this Court will be justified in invoking its



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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 18.05.2022 on its own merits and pass appropriate orders in accordance with law, within a period of two (2) 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.

12.08.2022

Index : Yes / No

Internet : Yes / No

Rmk



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M.S.RAMESH, J.

Rmk

To

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O/o., The District Educational Office,
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Order made in
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