



WP(MD)No.18446 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 16.08.2022

CORAM:

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

W.P.(MD)No.18446 of 2022

M.Packialakshmi

... Petitioner

/vs./

The Chief Educational Officer,
O/o., The Chief Educational Officer,
Thoothukudi.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent herein to consider petitioner's request for promotion to the post of Graduate Teacher (Subjects) in Thiruchendur Union, Thoothukudi District based on the petitioner's representation dated 03.07.2022.

For Petitioner : Mr.D.Srinivasaragavan
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.



WP(MD)No.18446 of 2022

2.The petitioner herein had given a representation to the respondents on 03.07.2022 seeking for promotion. 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 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 respondent herein to consider the petitioner's representation dated 03.07.2022 on its own merits and pass appropriate orders in accordance with law, within a period of six (6) 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



WP(MD)No.18446 of 2022

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.

16.08.2022

Index : Yes / No

Internet : Yes / No

Rmk

To
The Chief Educational Officer,
O/o., The Chief Educational Officer,
Thoothukudi.



WEB COPY



WP(MD)No.18446 of 2022

M.S.RAMESH, J.

Rmk

Order made in
W.P.(MD) No.18446 of 2022

Dated:
16.08.2022