



WP(MD)No.19366 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

**W.P.(MD).No.19350 of 2022
and W.M.P.(MD).No.14119 of 2022**

Arockia Arul Thomas

... Petitioner

Vs.

- 1.The Chief Education Officer,
District Chief Education Office,
Sivan Kovil Street,
Ramanathapuram,
Ramanathapuram District - 623501.
- 2.The District Education Officer,
District Education Office,
Boy's High School Campus,
Paramakudi,
Ramanathapuram District,
Ramanathapuram - 623707.
- 3.The Superintendent of Schools,
R.C.Bishop House, Britto Nagar,
Melur Road, Sivagangai - 630 561.
- 4.The Correspondent,
Sacred Heart Higher Secondary School,
Thiruvarangam Mudhukulathur Taluk,

1/6



WP(MD)No.19366 of 2022

WEB COPY

Ramanathapuram District,
Ramanathapuram - 623712.

5.The General Manager,
General Manager of R.C.Schools,
R.C.Diocese of Sivagangai,
Most. Rev. Dr.A.Stephen,
Bishop House, Sivagangai-630561.

6.Benitto,
The Domestice Enquiry Officer,
St.John Farm,
F.Keezhaiyur,
Manapparai,
Trichy – 621312.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondent No.3 to 6 to defer the departmental proceedings initiated on 22.06.2022 and 27.07.2022 till the conclusion of the pending criminal trial in Special S.C.No. 59 of 2022 on the file of the learned Sessions Court (Fast Track Mahila Court), Ramanathapuram.

For Petitioner : Mr.Henry Tiphagne for
Mr.R.Karunanidhi

For Respondents : Mr.S.Shaji Bino for R1 and R2
Special Government Pleader



WP(MD)No.19366 of 2022

WEB COPY

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 11.08.2022 seeking to defer the departmental proceedings initiated on 22.06.2022 and 27.07.2022 till the conclusion of the pending criminal trial in Special S.C.No. 59 of 2022 on the file of the learned Sessions Court (Fast Track Mahila Court), Ramanathapuram. 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



WP(MD)No.19366 of 2022

WEB COPY to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the sixth respondent herein to consider the petitioner's representation dated 11.08.2022 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.

24.08.2022

Index : Yes / No

Internet : Yes/ No

cp

To

1. The Chief Education Officer,
District Chief Education Office,
Sivan Kovil Street,
Ramanathapuram,
Ramanathapuram District - 623501.



WP(MD)No.19366 of 2022

WEB COPY

2. The District Education Officer,
District Education Office,
Boy's High School Campus,
Paramakudi,
Ramanathapuram District,
Ramanathapuram - 623707.



WEB COPY



WP(MD)No.19366 of 2022

M.S.RAMESH, J.

cp

W.P.(MD).No.19350 of 2022

24.08.2022