



W.P.(MD) No.19451 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.19451 of 2022
and W.M.P.(MD).No.14195 of 2022

S.Selvaraj

... Petitioner

Vs.

1.State of Tamil Nadu,
represented by its Principal Secretary,
Human Resource Management Department,
Fort St. George,
Chennai – 600 009.

2.State of Tamil Nadu,
represented by its Principal Secretary,
Department of School Education,
Fort St. George,
Chennai – 600 009.

3.Teachers Recruitment Board,
represented by its Chairman,
3rd Floor, Puratchi Thalaivar Dr.MGR Centenary Building,
DPI Campus, College Road, Chennai – 600 006.

4.Teachers Recruitment Board,
represented by its Member Secretary,
3rd Floor, Puratchi Thalaivar Dr.MGR Centenary Building,
DPI Campus, College Road,
Chennai – 600 006.

... Respondents



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PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondent No.3 to publish the provisional selection list of candidates selected for the 23 Posts of Block Educational Officer 2018-2019 in pursuance to the Recruitment Notification issued by the 3rd respondent vide Notification No.13/2019 dated 27.11.2019 and the corrigendum dated 28.12.2021 within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Rajasimman for
M/s.T.Lajapathi Roy

For Respondents : Mr.A.Kannan for R1 and R2
Additional Government Pleader

Mr.V.R.Shanmuganathan for R3 & R4
Standing Counsel

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 11.02.2022 seeking to publish the provisional selection list of candidates selected for the 23 Posts of Block Educational Officer 2018-2019 in pursuance



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to the Recruitment Notification issued by the 3rd respondent vide Notification No.13/2019 dated 27.11.2019 and the corrigendum dated 28.12.2021. 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 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 11.02.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this



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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. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Speaking Order/ Non Speaking Order

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M.S.RAMESH,J.

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