



WP(MD)No.19810 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.08.2022**

CORAM:

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

W.P.(MD)No.19810 of 2022

R.Ganesan

... Petitioner

/vs./

1.The Joint Director (Personal),
O/o. The Joint Director,
DPI Compass, College Road,
Egmore, Chennai – 600 006.

2.The Chief Educational Officer,
O/o.The Chief Educational Officer,
Pudukkottai,
Pudukkottai District.

3.The District Educational Officer,
O/o.The District Educational Officer,
Pudukkottai,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the request of the petitioner for transfer to any other nearby vacant school, by taking note of the critical un-workable condition in the present school, within the time stipulated by this Court.



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For Petitioner : Mr.S.Louis

For Respondents : Mr.A.Kannan

Additional 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 10.08.2022 seeking for his transfer to any other nearby school, by taking note of the critical un-workable condition in the present school. 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 second respondent herein, to consider the petitioner's representation dated 10.08.2022, 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 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.

26.08.2022

Index : Yes / No
Internet : Yes / No
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M.S.RAMESH, J.

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TO:

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Order made in
W.P.(MD)No.19810 of 2022

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26.08.2022