WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2022

CORAM:

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

W.P.(MD)No.20500 of 2022

R.Venurajkumar ... Petitioner

/vs./

1.The Principal Secretary,
School Education Department,
Secretariat, Fort St.George,
Chennai.

2.The Director of School Education,
DPI Complex,
College Street, Chennai 600 006.

3.The Joint Director (Personnel),
School Education Department,
DPI Complex, College Street, Chennai 600 006.

4.The Director,
State Educational Research and Training Institute,
DPI Complex, College Street, Chennai 600 006.

5.The Principal,
District Institute of Education and Training,
Vanaramutti, Kayatharau Taluk,
Tuticorin District. ... Respondents

https://www.mhc.tn.gov.in/judis

WEB COPY

PRAYER**:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to regularize the service of the petitioner as Jeep Driver in the fifth respondent institute as done by various Government Departments, by considering the representation of the petitioner dated 18.07.2022.

For Petitioner : Mr.R.Gowrishankar
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 18.07.2022 seeking for regularization of his service as Jeep Driver in the fifth respondent Institute. 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-

https://www.mhc.tn.gov.in/judis

WEB COPY

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 second respondent herein to consider the petitioner's representation dated 18.07.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three (3) months 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.

01.09.2022

Index : Yes / No
Internet : Yes / No
Rmk

https://www.mhc.tn.gov.in/judis

WEB COPY

M.S.RAMESH, J.

Rmk

TO:

1.The Principal Secretary,
School Education Department,
Secretariat, Fort St.George,
Chennai.

2.The Director of School Education,
DPI Complex,
College Street, Chennai 600 006.

3.The Joint Director (Personnel),
School Education Department,
DPI Complex, College Street, Chennai 600 006.

4.The Director,
State Educational Research and Training Institute,
DPI Complex, College Street, Chennai 600 006.

5.The Principal,
District Institute of Education and Training,
Vanaramutti, Kayatharau Taluk,
Tuticorin District.

Order made in
W.P.(MD)No.20500 of 2022

01.09.2022

https://www.mhc.tn.gov.in/judis