



WP(MD)No.20862 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.20862 of 2022

1.S.Balakrishnan

2.K.Mariyappan

3.S.Gurusamy

4.M.Rajan

... Petitioners

-Vs-

1.The State of Tamil Nadu,
Rep. by its Secretary,
School Education Department,
Secretariat, Chennai.

2.The Commissioner of School Education,
Chennai-6.

3.The Chief Educational Officer,
Tenkasi District.

4.The District Educational Officer,
Sankarankovil, Tenkasi District.

... Respondents

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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 petitioners from the date of appointment with all consequential benefits by considering the representation dated 07.11.2020.

For Petitioners : Mr.V.Paneer Selvam

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 petitioners herein had given a representation to the respondents on 07.11.2020, to regularize the service of the petitioners from the date of appointment with all consequential benefits. 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-



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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 petitioners' representation dated 07.11.2020, 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.

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Index : Yes / No
Internet : Yes / No
Myr / Rmk



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M.S.RAMESH, J.

Myr / Rmk

TO:

- 1.The Secretary,
State of Tamil Nadu,
School Education Department,
Secretariat, Chennai.
- 2.The Commissioner of School Education,
Chennai-6.
- 3.The Chief Educational Officer,
Tenkasi District.
- 4.The District Educational Officer,
Sankarankovil, Tenkasi District.

Order made in
W.P.(MD)No.20862 of 2022

Dated:
02.09.2022
(2/2)