



W.P.No.4772 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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D.Vijayalakshmi

...Petitioner

Vs

1. The State of Tamil Nadu rep by
The Secretary to Government,
School Education Department,
Secretariat, Chennai-09.

2. The Director of School Education,
College Road, Chennai-06

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 14.12.2022 to give monetary benefit to the petitioner from her initial appointment dated 23.11.2012 to 25.01.2018 with all consequential benefits and arrears.

For Petitioner : Ms.S.Esairani Narasimman

For Respondents : Ms.E.Indhumathi
Government Advocate



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ORDER

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The petitioner herein had given a representation to the respondents on 14.12.2022 seeking for a direction to give monetary benefits to the petitioner from her initial appointment dated 23.11.2012. Since the said representation was not considered, the present writ petition has been filed.

2. 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.

3. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated



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14.12.2022 on its own merits and pass appropriate orders in accordance with law, within a period of eight 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 respondents to consider the same on its own merits.

4. With the above direction, the Writ Petition stands disposed of.

No costs.

22.02.2023

Index: Yes/No

Speaking order/Non-speaking order
sr

To

1. The Secretary to Government,
The State of Tamil Nadu,
School Education Department,
Secretariat, Chennai-09.
2. The Director of School Education,
College Road, Chennai-06



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M.S.RAMESH,J.

SR

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