



W.P.No.6273 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2023

CORAM:

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

**W.P.No.6273 of 2023**

M.Manickam

...Petitioner

Vs

1.The State of Tamil Nadu,  
Rep. by the Secretary to Government,  
Education Department,  
Fort St. George, Chennai – 600 009.

2.The Director of School Education,  
College Road, Chennai – 600 006.

3.The District Educational Officer,  
Coimbatore District.

4.The Chief Educational Officer,  
Coimbatore District.

5.The Head Master,  
Municipal Girls Higher Secondary School,  
Pollachi, Coimbatore District.

...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 09.11.2022 for regularizing the



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service of the petitioner with effect from the date of completion of 10 years of service as per the order passed in Writ Appeal No.1258 of 2018 dated 13.09.2019 with all monetary and service benefits.

For Petitioner : Mrs.S.Esairani Narasimman

For Respondents : Mr.E.Sundaram,  
Government Advocate

**ORDER**

With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had given a representation to the respondents on 09.11.2022, to regularize his service with effect from the date of completion of 10 year of service. 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



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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 second respondent herein to consider the petitioner's representation dated 09.11.2022 on its own merits and pass appropriate orders in accordance with law, within a period of four 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 respondent to consider the same on its own merits.

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

No costs.

**02.03.2023**

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

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To

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Education Department,  
Fort St. George, Chennai – 600 009.
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