



W.P.No.6869 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.6869 of 2023

S.V.Parthasarathi

...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.

3.The Chief Educational Officer,
Namakkal District.

4.The District Educational Officer,
Namakkal 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 10.10.2022 to provide employment to the petitioner on the ground of compassionate appointment arises due to the death of his father Mr.H.Vithyadharan who died on 11.07.2004 while



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he was working as Secondary Grade teacher in the Elementary School, Beemanayaganpatti, Namakkal District.

For Petitioner : Mrs.S.Easirani 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 10.10.2022, seeking employment on compassionate grounds. 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



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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 first and second respondents herein to consider the petitioner's representation dated 10.10.2022 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 respondents to consider the same on its own merits.

5. With the above direction, the Writ Petition stands ordered. No costs.

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Index:Yes/No
Speaking order/Non-speaking order
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M.S.RAMESH,J.

hvk

To

- 1.The Secretary to Government,
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