



W.P.No.13927 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.13927 of 2023

P.Tharani

...Petitioner

Vs

1.The District Elementary
Educational Officer,
Kancheepuram,
Kancheepuram District.

2.The Block Educational Officer,
Uthiramerur Block,
Kancheepuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the first respondent to consider the petitioner's representation dated 20.02.2023 and take appropriate action to ensure that the panel of B.T.Assistant (Science) as on 01.01.2022 issued by the second respondent is in accordance with the orders passed by this Court in W.P.No.26889 of 2016 dated 30.11.2022 and pass appropriate orders thereon within a time limit.



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For Petitioner : Mr.P.Rajendran

For Respondents : Mr.S.Rajesh,
Government Advocate

ORDER

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

2. The petitioner herein had given a representation to the first respondent on 20.02.2023 seeking for revision of panel to the post of B.T.Assistant (Science), in accordance with the order passed by this Court in W.P.No.26889 of 2016 dated 30.11.2022. Since the said representation was not considered, the petitioner has preferred the present Writ Petition.

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 him 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



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amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of the 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 respondent herein to consider the petitioner's representation dated 20.02.2023, on its own merits and pass appropriate orders in accordance with law, after giving due notice to all the persons who may be affected in view of the final order to be passed therein, 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 made by 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

Speaking order/Non-speaking order

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M.S.RAMESH,J.

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To

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