



W.P.No.17596 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17596 of 2023

R.Revathi

... Petitioner

Vs.

1.The Commissioner, Directorate
of School Education,
DPI Complex, College Road,
Chennai-6.

2.The Chief Educational Officer,
Vellore District, Vellore.

3.The District Educational Officer,
Vellore Education District,
Vellore.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to pass orders for regularizing the period of suspension from 07.12.2021 to 20.01.2022 with consequential benefits including monetary benefits to the petitioner in consideration of the representations submitted by the petitioner dated 26.07.2022 and 29.08.2022 within a time frame to be fixed by this Court.



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For Petitioner : Mr.S.Nedunchezhiyan
For Respondents : Mr.P.Gurunathan,
Additional Government Pleader

ORDER

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

2. The petitioner herein had given representations to the respondents on 26.07.2022 and 29.08.2022 seeking to regularize the period of suspension from 07.12.2021 to 20.01.2022 with consequential benefits including monetary benefits. Since the said representations have not yet been considered, the Writ Petition has been filed.

3. It is needless to point out that whenever representations of this nature are made to Statutory Authorities, there is a duty cast upon them to consider the same on their own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representations by the Statutory Authorities would amount to dereliction of duty and hence, this Court will be justified in



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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 respondents herein, to consider the petitioner's representations dated 26.07.2022 and 29.08.2022 on their 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 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

Neutral Citation: Yes/No

RS/HVK



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M.S.RAMESH,J.

RS/HVK

To

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