



W.P.No.17075 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.17075 of 2023

P.Muthulakshmi

... Petitioner

Vs

- 1.The Commissioner of School Education,
DPI Complex, College Road,
Chennai – 600 006.
- 2.The Joint Director of School Education,
DPI Complex, College Road,
Chennai – 600 006.
- 3.The Chief Educational Officer,
Office of the Chief Educational Officer,
Coimbatore District.
- 4.The Chief Educational Officer,
Office of the Chief Educational Officer,
Thiruvarur District.
- 5.The District Educational Officer,
Coimbatore,
Coimbatore District.
- 6.The District Elementary Educational Officer,
Thiruvaur,
Thiruvarur District.



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7.The Head Master,
A.A.M.G. Government Higher Secondary School,
Annur, Coimbatore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to issue the order of appointment and the order of regularisation of the petitioner as B.T.Assistant and provide the consequential seniority and promotion to the petitioner by considering her representation dated 09.01.2023.

For Petitioner : Mr.K.Thilageswaran

For Respondents : Mr.P.Sanjay Gandhi,
Government Advocate

ORDER

Heard Mr.K.Thilageswaran, learned counsel for the petitioner and Mr.P.Sanjay Gandhi, learned Government Advocate for the respondents.

2.The petitioner herein had given a representation to the respondents on 09.01.2023 for regularisation 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



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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 amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the 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 representation dated 09.01.2023, 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.

5.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.



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M.S.RAMESH,J.

vga

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

No costs.

09.06.2023

Index:Yes/No

Speaking order/Non-speaking order

vga

To

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