



W.P.No.19065 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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1. T.Chelladurai
2. M.Jayanthi
3. S.Jasmine Selina
4. S.Munialakshmi
5. S.Umamaheswari
6. P.Sankar
- 7.S.Nithya
- 8.V.Vaishnavi
9. M.Nilavar Nisha
10. S.Sathya
11. M.Selvi
12. M.Amsavalli
- 13.D.Arivalagan
- 14.M.Jaisankar
15. K.Selvakumar
- 16.M.Sathiya
17. M.Kamalavathi
- 18.P.Nirmala
- 19.R.Ranjitha
20. C.Nivetha
21. P.Latha
- 22.K.Kavitha
- 23.K.Subashini
- 24.S.Jancirani
- 25.N,Chinnarani
26. M.Sivaranjani
- 27.K.Santhi



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28. K.Suganya
- 29.K.Anjali
- 30.K.Rajeswari
31. M.Jayanthi
- 32.P.Saraswathy
33. D.Vijayalakshmi
34. K.Sankar
- 35.A.Porchelvi
36. R.Poongodi
- 37.S.Jayanthi
- 38.P.Poongodi
- 39.P.Sumathi
- 40.D.Rajakumari
- 41.S.Uma
- 42.R.Anitha
- 43.J.Jayanthi
- 44.P.Vennila
- 45.S.Pakkiyam
46. M.Kolangiyammal
47. B.Kalaiselvi
- 48.R.Kavitha
- 49.A.Jeyarani
- 50.S.Kokila
- 51.K.Ananthi
- 52.M.Muthamil Ponni
- 53.R.Rajeswari
- 54.E.Suntari
55. A.Sudha
- 56.K.Banumathi
- 57.B.Anandhavalli
- 58.D.Kalaivani
- 59.S.Elavarasi
- 60.M.Kaliyamoorthy
- 61.Vijayalakshmi.R

...Petitioners

Vs



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WEB COPY

1. The Principal Secretary to Government
Department of School Education
Government of Tamil Nadu
Fort St.George, Secretariat
Chennai – 600 009
2. The Principal Secretary to Government
Social Welfare and Nutritious Meal Programme
(SW-7(1)) Department
Government of Tamil Nadu
Fort St.George, Secretariat
Chennai – 600 009
3. The Chairperson
National Council for Teacher Education
I.G.I.Stadium, I.P.Estate
New Delhi – 110 002
4. The Commissioner
Directorate of School Education
College Road
Chennai – 600 006
5. The Director of Elementary Education
College Road
Chennai – 600 006
6. The Chief Educational Officer
Perambalur District
Perambalur
7. The Chief Educational Officer
Ariyalur District
Ariyalur
8. The Chief Educational Officer
Salem District



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9. The Chief Educational Officer
Cuddalore District
Cuddalore

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to appoint the petitioners as Special Teachers pursuant to G.O.Ms.No.164, School Education (Tho.Ka.2(2)) Department dated 29.09.2022, by considering the representations of the petitioners dated 22.06.2022, 23.06.2022, 24.06.2022, 25.06.2022, 27.06.2022, 28.06.2022, 01.07.2022, 08.07.2022, 12.07.2022, 18.07.2022, 20.07.2022, 26.07.2022, 11.08.2022, 13.08.2022, 16.08.2022, 20.08.2022, 23.08.2022, 17.09.2022, 19.09.2022, 29.09.2022 and 29.11.2022.

For Petitioners : Mr.V.Sivalingam

For Respondents : Mr.M.Bindran
Addl. Govt.Pleader for R1, 2, 4 to 9
Mr.SU.Srinivasan
Standing Counsel for R3

ORDER

Heard Mr.V.Sivalingam, learned senior counsel appearing on behalf of the counsel on record for the petitioner, Mr.M.Bindran, learned Additional Government Pleader appearing for Respondents 1, 2 and 4 to



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9 and Mr.Su.Srinivasan, learned Standing Counsel for third respondent.

WEB COPY

2. The petitioners herein had given representations to the respondents to appointment them as Special Teachers pursuant to G.O.Ms.No.164, School Education (Tho.Ka.2(2)) Department dated 29.09.2022. Since the said representations were not considered, the petitioners are before this Court.

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 them 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 representations 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 the India and direct them to consider the same within a stipulated time.



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4. In the light of the above observations, there shall be a direction to the respondents to consider the petitioners' representation dated 22.06.2022, 23.06.2022, 24.06.2022, 25.06.2022, 27.06.2022, 28.06.2022, 01.07.2022, 08.07.2022, 12.07.2022, 18.07.2022, 20.07.2022, 26.07.2022, 11.08.2022, 13.08.2022, 16.08.2022, 20.08.2022, 23.08.2022, 17.09.2022, 19.09.2022, 29.09.2022 and 29.11.2022, on its own merits and pass appropriate orders in accordance with law within a period of three months 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 petitioners 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
gpa



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To
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8. The Chief Educational Officer
Salem District
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