



WEB COPY



W.P.No.31154 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.31154 of 2023

N.Sridharan

...Petitioner

-Vs-

1. The Assistant Director of School Education,
Directorate of School Education,
D.P.I.Campus, College Road,
Chennai 600 006.

2. The Chief Educational Officer,
Cuddalore District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the 2nd respondent to consider and dispose of petitioner's representation dated 22.11.2022 by passing necessary Special Grade Order along with 30 years increment benefits, to the petitioner as mentioned in order in G.O.No.80 dated 02.03.2016 issued by the Principal Secretary to Government, Labour Department within a stipulated time as fixed by this Court.

For Petitioner : Mr.V.Shanmugasundaram

For Respondents : Mr.M.Alagu Goutham
Govt. Advocate



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ORDER

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Heard Mr.V.Shanmugasundaram, learned counsel for the petitioner and Mr.M.Alagu Goutham, learned Government Advocate for the respondents. With the consent of both sides, the main writ petition has been taken up for final disposal.

2. The petitioner herein has given a representation to the second respondent on 22.11.2022 seeking for passing necessary Special Grade Order along with 30 years increment benefits to the petitioner as mentioned in order in G.O.No.80 dated 02.03.2016 issued by the Principal Secretary to Government, Labour Department 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 respondent 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



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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 to consider the representation of the petitioner dated 22.11.2022 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. 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 is disposed of. No costs.

01.11.2023

Index:Yes/No
Internet:Yes/No
sr

To

1. The Assistant Director of School Education,
Directorate of School Education,
D.P.I.Campus, College Road,
Chennai 600 006.

M.S.RAMESH,J.



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2. The Chief Educational Officer,
Cuddalore District.

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