



WEB COPY



W.P.No.29949 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.29949 of 2023

D. Saravanan

...Petitioner

Vs

1.The Principal Secretary to Government,
Department of School Education,
Fort St. George, Secretariat, Chennai.

2.The Director,
Department of School Education,
Professor Anbazhagan Education Campus, (D.P.I)
Nungambakkam, Chennai – 600 006.

3.The State Project Director,
Department of Integrated School Education,
Professor Anbazhagan Education Campus, (D.P.I)
Nungambakkam, Chennai – 600 006.

4.The Joint Director,
School Education (Personnel),
Professor Anbazhagan Education Campus, (D.P.I)
Nungambakkam, Chennai – 600 006.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to transfer the petitioner in the Thanjavur District by vacant place of respectively in



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the light of the judgment passed in WP.(MD) No.16884 of 2021 and batch dated 24.11.2021 based on the representation of the petitioner dated 11.07.2023.

For Petitioner : Mr.S.Kasirajan

For Respondents : Mr.V.Manoharan,
Additional Government Pleader

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 has given a representation to the fourth respondent on 11.07.2023, seeking to transfer him in Thanjavur District in the existing vacancies. Since the said representation was not considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever representation of this nature is made to a Statutory Authority, there is a duty cast on 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,



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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 him to consider the same within a stipulated time.

4. In the light of the above observations, there shall be a direction to the fourth respondent herein to consider the petitioner's representation dated 11.07.2023, pass appropriate orders in accordance with law, within a period of eight (8) 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.

hvk

To

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