



W.P.No.32237 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32237 of 2023

V.Sakthivel Pandian

...Petitioner

Vs

1. The Government of Tamil Nadu
Rep. By the Principal Secretary
Department of School Education
Fort St.George, Chennai – 600 009
2. The Director of School Education
DPI Campus
College Road, Chennai – 600 006
3. The Joint Director of School Education
Vocational Education
DPI Campus
College Road, Chennai – 600 006
4. Sir M Ct. Muthiah Chettiar Boys Higher Secondary School
Rep. By the Secretary of School Committee
No.23, Raja Annamalai Road
Purasawalkam, Chennai – 600 084
5. PAK Palanisamy Higher Secondary School
Rep. By the Secretary of School Committee
No.1, 4th Lane, PAN Rajarathnam Street
Old Washermenpet, Chennai – 600 021

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct respondents 1 to 3 to consider and dispose petitioner representation dated 01.04.2023.

For Petitioner : Mr.D.Bharathy

For Respondents : Mr.V.Manoharan
Additional Government Pleader
for Respondents 1 to 3

ORDER

With the consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had given a representation dated 01.04.2023 seeking for a direction to disburse the arrears of pay due to the petitioner, as per G.O.Ms.No.306 Finance [CMPC] Department, dated 12.09.2018 with interest. Since the said representation was not considered, the present writ petition has been filed.



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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 respondents 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 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 third respondent herein to consider the petitioner's representation dated 01.04.2023 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. 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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costs.

5. With the above direction, the Writ Petition stands ordered. No

10.11.2023

Index:Yes/No

Speaking order/Non-speaking order

Internet:Yes/No

Neutral Citation:Yes/No

gpa

To

1. The Principal Secretary
Department of School Education
Fort St.George, Chennai – 600 009
2. The Director of School Education
DPI Campus
College Road, Chennai – 600 006
3. The Joint Director of School Education
Vocational Education
DPI Campus
College Road, Chennai – 600 006



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M.S.RAMESH,J.

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