



WEB COPY



W.P.No.32958 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.32958 of 2023

M. Kalaiselvan

... Petitioner

Vs.

1.The Director of Elementary Education,
Director of Elementary Education,
DPI Complex, College Road,
Chennai – 600 006.

2.The District Educational Officer, (Elementary Educational)
Namakkal District,
Namakkal.

3.The Block Educational Officer,
Thiruchengodu, Namakkal District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to be prolonged the petitioner's increment for higher educational qualification of M.Sc.(Mathematics) as per the G.O.(Ms).No.116, dated 15.10.2020 by considering the petitioner's representation dated 20.03.2023 within time framed by this Court.



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For Petitioner : Mr.G. Punniakoti

For Respondents : Mrs.V. Yamuna Devi,
Special 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 representation to the respondents on 20.03.2023, requesting to prolong his increment for higher educational qualification of M.Sc. (Mathematics) as per G.O.Ms.No.116, dated 15.10.2020. Since the said representation has not been considered till date, 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 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 representation by the Statutory Authority would amount



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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 respondents herein, to consider the petitioner's representation dated 20.03.2023, on their own merits and 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 of 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.

22.11.2023

Speaking/Non-speaking Order

Index: Yes/No

Internet: Yes/No

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M.S.RAMESH,J.

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To

- 1.The Director of Elementary Education,
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Namakkal District,
Namakkal.
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