



W.P.No.34120 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.34120 of 2023

N.Kumar
S/o.Natarajan

...Petitioner

Vs

1.The Chief Educational Officer,
Nagapattinam,
Nagapattinam District.

2.The District Educational Officer (Primary),
Nagapattinam,
Nagapattinam District.

3.The Block Educational Officer,
Vedaranyam,
Vedaranyam Taluk,
Nagapattinam District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the third respondent to issue the order of selection grade to the petitioner along with all attendant and monetary benefits i.e. from 29.11.2019, including the Earn Leave also.

For Petitioner : Mr.V.Kasinatha Bharathi



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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 stage of admission itself.

2. The petitioner had given representations on 31.01.2022 and 10.06.2023 to third respondent and second respondent respectively seeking for grant of selection grade to the petitioner with all attendant and monetary benefits. Since the said representations were not considered by the respondents 2 and 3, 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 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, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in



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invoking its extraordinary powers under Article 226 of the Constitution of the 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 the respondents to consider the petitioner's representations dated 31.01.2022 and 10.06.2022, 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 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

gpa



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To
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M.S.RAMESH,J.

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