



WEB COPY

W.P.No.34153 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 07.12.2023**

CORAM

**THE HONOURABLE MR.JUSTICE M.S.RAMESH**

**W.P.No.34153 of 2023**

1.T.Anbazhagan

2.K.Singaravel

... Petitioners

Vs.

1.The State of Tamil Nadu,  
Rep by the Secretary to Government,  
Education Department,  
Fort St. George,  
Chennai – 9.

2.The Director of School Education,  
College Road,  
Chennai – 9.

3.The Chief Educational Officer,  
Villuppuram District.

4.The District Educational Officer,  
Villuppuram District.

... Respondents

**Prayer:** Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 14.10.2023 to regularize the petitioner's service from the date of his initial appointment on 16.12.1989 and



consequently direct the respondents to pay monetary and service benefits with all consequential benefits and arrears.

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For Petitioners : M/s.S.Esairani Narasimman  
For Respondents : Mr.M.Bindran  
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 prayer sought for in this Writ Petition is for a direction the respondents to consider the petitioners representation dated 14.10.2023 to regularize the petitioners service from the date of his initial appointment on 16.12.1989 and consequently direct the respondents to pay monetary and service benefits with all consequential benefits and arrears. Since the said representation was not considered, the petitioners have preferred the present Writ Petition.



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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 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 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 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 petitioners representation dated 14.10.2023, 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 petitioners and that it is open to the concerned respondents to consider the same on its own merits.



5. With the above direction, the Writ Petition stands disposed of. No

costs.

**07.12.2023**

(1/2)

Jeni

Index : Yes / No

Neutral Citation : Yes / No

Speaking order / Non-speaking order

To

1.The Director of Collegiate Education,  
Department of College Education,  
Chennai – 600 015.

2.The Commissioner,  
Hindu Religious & Charitable Endowments Department,  
119, Uthamar Gandhi Salai,  
Nungambakkam,  
Chennai – 600 034.



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**M.S.RAMESH, J.**

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**07.12.2023**  
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