



WEB COPY



W.P.No.34184 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.34184 of 2023

J.Manigandan

...Petitioner

-Vs-

The Secretary,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus, College Road,
Chennai-600 006

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to issue Teacher Eligibility Test pass certificate to the petitioner which was conducted on 30.04.2017 and consequently to allow the petitioner to apply for the post of Graduate Teachers / Block Resource Teacher Educators (BRTE) issued in the Notification No.03/2023 dated 25.10.2023.

For Petitioner : Mr.S.Illamvaludhi

For Respondent : Mr.R.Neelakandan
Addl.Advocate General
Assisted by
Mr.R.Siddharth
Standing Counsel



W.P.No.34184 of 2023

ORDER

WEB COPY Heard Mr.S.Illamvaludhi, learned counsel for the petitioner and Mr.R.Neelakandan, learned Additional Advocate General for the respondent.

2. The petitioner herein has given a representation to the respondent on 10.11.2023, seeking for issuance of Teacher Eligibility Test pass certificate to him, which was conducted on 30.04.2017 and also to allow him to apply for the post of Graduate Teachers / Block Resource Teacher Educators (BRTE) issued in the Notification No.03/2023 dated 25.10.2023. Since the said representation was not considered, 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 the respondent 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.



W.P.No.34184 of 2023

WEB COPY

4. In the light of the above observations, there shall be a direction to the respondent to consider the representation of the petitioner dated 10.11.2023 on its own merits and pass appropriate orders in accordance with law, within a period of one week 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.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

11.12.2023

Index: Yes/No
Internet: Yes/No
sr

To

The Secretary,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus, College Road,
Chennai-600 006



WEB COPY



W.P.No.34184 of 2023

M.S.RAMESH,J.,

sr

W.P.No.34184 of 2023

11.12.2023