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W.P.No.35041 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.35041 of 2023

S.Annammal

... Petitioner

Vs.

1.The Secretary to Government,
School Education Department,
Fort St.George,
Chennai.

2.The Director of School Education,
DPI Compound,
College Road,
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent herein to consider and pass orders on petitioner's representation dated 13.10.2023 more particularly within a time frame as may be stipulated by this Court.

For Petitioner : Mr.J.Pooventherarajan

For Respondents : Mr.M.Bindran



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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 petitioner herein has given a representation to the respondents on 13.10.2023, seeking regularization of petitioner's service from the date of her initial appointment. 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 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 Constitution of



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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 first respondent herein, to consider the petitioner's representation dated 13.10.2023, on its own merits and pass appropriate orders in accordance with law, within a period of three (03) months 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.

18.12.2023

Index: Yes/No
Speaking order/Non-speaking order
gd



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M.S.RAMESH,J.

gd

To

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