



W.P.(MD)No.387 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.387 of 2023

L.M.Vimala Christal

... Petitioner

Vs.

1. The Chief Education Officer,
Nagercoil,
Kanyakumari District.

2. The District Educational Officer,
Marthandam,
Kanyakumari District.

3. The Corporate Manager,
R.C.Diocese,
Kuzhithurai,
Kanyakumari District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to consider and dispose of the petitioner's representation dated 17.12.2022 as expeditiously as possible.



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For Petitioner : Mr.R.Anand
For Respondents : Mr.J.Ashok
Addl. Govt. Pleader for R1 and R2

ORDER

This Writ Petition has been filed for a direction to the respondents to consider and dispose of the petitioner's representation, dated 17.12.2022, as expeditiously as possible.

2. Since no adverse order is going to be passed, notice to the third respondent is dispensed with.

3. The case of the petitioner is that the petitioner was appointed as Junior Assistant on 01.07.2014 in R.C.Higher Secondary School, being administered by a Diocese of Roaman Catholic. Even though, the petitioner was admitted in the post of Junior Assistant on 01.07.2014, for want of vacancy, he has not been paid with salary till date. Further, the petitioner is the senior most person in the waiting list, but without considering the petitioner's candidature, the third respondent has appointed one Alex.



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Hence, she made a representation to the respondents 1 and 2 on 17.12.2022 for cancelling the appointment of the said Alex. But, till date, no order was passed. Therefore, the petitioner has filed the present Writ Petition with the aforesaid prayer.

4. The learned counsel appearing for the petitioner would submit that it would suffice, if the first respondent is directed to dispose of the representation of the petitioner, dated 17.12.2022, on merits and in accordance with law, within a specified period.

5. The learned Additional Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.

6. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the first respondent to consider the petitioner's representation, dated 17.12.2022 and pass appropriate orders, on merits and in accordance with



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law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner as well as the third respondent including the said Alex.

7. With the above direction, this Writ Petition is disposed of. No costs.

06.01.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji



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M.DHANDAPANI,J.

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