



W.P(MD)No.11976 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.05.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.11976 of 2023

and

W.M.P(MD)No.10344 of 2023

M.Prema

... Petitioner

Vs.

**1.The Director of Elementary Education,
Chennai – 06.**

**2.The District Educational Officer (Elementary),
Virudhunagar,
Virudhunagar District.**

**3.The Block Educational Officer,
Tiruchuli Union,
Virudhunagar District.**

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to promote the petitioner as a B.T Assistant (Science) as per the panel prepared by the third respondent by considering the petitioner's representation dated 10.04.2023 with all consequential benefits.



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For Petitioner : Mr.V.Paneer Selvam
For Respondents : Mr.V.Omprakash
Govt. Advocate

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. The petitioner herein had given a representation to the respondents on 10.04.2023 seeking to promote her as a B.T. Assistant (Science) as per the panel prepared by the third respondent. 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 respondents 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, nonconsideration of the representation by the



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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.

4. In the light of the above observations, there shall be a direction to the respondents to consider the petitioner's representation dated 10.04.2023 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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 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. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

18.05.2023

skn
Index : Yes/No
Internet : Yes/No
NCC : Yes / No



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To

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Virudhunagar District.
- 3.The Block Development Officer,
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Virudhunagar District.



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L.VICTORIA GOWRI., J.

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