



W.P.(MD)No.12538 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.05.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.12538 of 2023

and

W.M.P.(MD)No.10597 of 2023

P.Lilly

... Petitioner

versus

1. The Chief Educational Officer,
CEO Office Campus,
SLB Govt. (B) Hr. Sec. School South Side,
Nagercoil,
Kanyakumari District – 629 001.
2. District Educational Officer,
SLB South Street,
PWD Road,
Nagercoil,
Kanyakumari – 629 001.
3. Corporate Manager,
SCI Diocesan Office,
71-A, Dennis Street,
Nagercoil – 629 001.



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4. The Correspondent,
LMS HSS, Jamestown,
Agasthiseeswaram,
Kanyakumari District – 629 504.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondents herein to consider the petitioner's representation dated 15.05.2023 and to approve her appointment dated 01.06.2020 within a stipulated period.

For Petitioner : M/s.C.Anto Prince

For R1 and R2 : Mr.A.Kannan,
Additional Government Pleader

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 15.05.2023 seeking to approve her appointment. Since the said representation was not considered, the present Writ Petition has been filed.



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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 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, 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.

4. In the light of the above observations, there shall be a direction to the second respondent herein to consider the proposal submitted by the fourth respondent dated 09.02.2023, on its own merits and pass appropriate orders in accordance with law, within a period of three 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



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same on its own merits.

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5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

25.05.2023

akv

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

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Kanyakumari District – 629 001.

2. District Educational Officer,
SLB South Street,
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M.S.RAMESH, J.

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