



W.P.(MD).No.487 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD).No.487 of 2024

E.Raman

... Petitioner

Vs.

- 1.The Director of Elementary Education,
Office of the Director of Elementary Education Office,
College Road,
Chennai – 06.
- 2.The Chief Educational Officer,
Tenkasi,
Tenkasi District.
- 3.The District Educational Officer,
Tenkasi District.
Tenkasi.
- 4.The Manager/Correspondent,
Arambajothi Middle School,
West Ilanji,
Ilanji Post,
Tenkasi Taluk,
Tenkasi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to pass final order on the petitioner's representation dated 27.07.2023 by approving the petitioner's



W.P.(MD).No.487 of 2024

appointment as graft instructor (Agriculture) as directed by the second respondent vide his order dated 18.08.2023 on O.Mu.No. 3939/Aa2/2023 within the stipulated time as fixed by this Court.

For Petitioner : Mr.C.Mayilvahana Rajendaran

For R-1 to R-3 : Mr.T.Amjadkhan
Government Advocate

ORDER

Heard Mr.C.Mayilvahana Rajendaran, learned counsel for the petitioner and Mr.T.Amjadkhan, learned Government Advocate for the respondents.

2. The petitioner herein had given a representation to the respondents though proper channel on 27.07.2023 seeking for approval of his appointment in the post of Graft Instructor (Agriculture) in the fourth respondent School. Though the representation of the petitioner was forwarded by the first respondent vide order dated 10.08.2023 to the second and third respondents and the second respondent in turn vide order dated 18.08.2023 directed the third respondent to pass final orders on the petitioner's representation, so far no order has been passed by the third respondent. Hence, the present writ petition has been filed.



W.P.(MD).No.487 of 2024

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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. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with direction to consider the representation of the petitioner within a specified time frame.

4. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 27.07.2023 on its own merits and pass appropriate orders in accordance with law, within a period of four 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 third respondent to consider the same on its own merits.



W.P.(MD).No.487 of 2024

WEB COPY 5. With the above direction, the Writ Petition stands **disposed of**. No costs.

09.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

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W.P.(MD).No.487 of 2024

R.N.MANJULA, J.

Nsr

W.P.(MD).No.487 of 2024

09.07.2024