



W.P.(MD)No.4013 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.4013 of 2024 &
W.M.P.(MD)No.3901 of 2024

Rajeshwaran

... Petitioner

VS.

- 1.The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Department of School Education,
Fort St.George, Secretariat,
Chennai - 600 009.
- 2.The Director of School Education,
College Road, DPI Complex,
Chennai - 600 006.
- 3.The Director of School Education,
Elementary Level,
College road, DPI Complex,
Chennai - 600 006.
- 4.The Teachers' Recruitment Board,
Rep. by its Member Secretary,
Fourth Floor, E.V.K.Sampath Maligai,
College road, Chennai - 600 006.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to appoint the petitioner as Secondary Grade Teacher (TET Exam Paper-I) on the basis of the Certificate Verification held in the year 2013 without insisting upon the petitioner to pass Teachers Eligibility Test.

For Petitioner : Mr.S.Muthupandi

For Respondents : Mr.M.Siddharthan,
Additional Government Pleader
for R1 to R3

Mr.V.R.Shanmuganathan for R4

ORDER

The petitioner herein, who had passed the TET Exam Paper I for Secondary Grade Teacher (Diploma Teacher Education) in the year 2013 and TET Exam Paper II for Graduate Assistant in the year 2017 is awaiting Government Job for more than 11 years. However, the Government has once again announced a competitive exam. Therefore, he has sent a representation to the respondents on 24.01.2024 and the same representation is yet to be considered. Hence, the writ petition.



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2. 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 their 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. The failure on the part of the Authority had prompted the petitioner to file this petition 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 a direction to consider the representation of the petitioner within a specific time frame.

3. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 24.01.2024 on their own merits and pass appropriate orders in accordance with law and in the light of the judicial pronouncements already given in this regard, within a period of six weeks



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from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on their own merits.

4. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

06.06.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order
mbi

To

- 1.The Principal Secretary,
Department of School Education,
Fort St.George, Secretariat,
Chennai - 600 009.
- 2.The Director of School Education,
College Road, DPI Complex,
Chennai - 600 006.
- 3.The Director of School Education,
Elementary Level,
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R.N.MANJULA, J.

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