



W.P(MD)No.5185 of 2021

WEB CO **BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 12.04.2024

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.5185 of 2021

M.John Christopher

... Petitioner

Vs.

The District Education Officer,
District Education Officer,
Mannarkudi.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent herein considering petitioner representation dated 13.01.2021.

For Petitioner : Ms.M.Janani Priya

For Respondent : Mr.M.Sarangan

Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, to direct the respondent herein considering petitioner representation dated 13.01.2021.



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2.The petitioner was appointed as Post Graduate Teacher (Mathematics) in Findlay Higher Secondary School, at Mannargudi on 12.06.2015, on the basis of transfer in a vacancy that had arisen due to the retirement of Mr.J.Susai raj. From the date of transfer, he was entitled to Rs.9,300- 34,800/- as salary and getting Basic pay of Rs.30,640/-. Thereafter, the petitioner obtained M.Sc., degree on April 1991 and she had also obtained M.Ed and M.Phil degrees respectively. For which, she made a representation seeking incentive increment for her higher qualification on 13.01.2021 to the respondent and the same was not considered. Hence, this Writ Petition came to be filed.

3.Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondent and carefully perused the entire materials available on record.

4.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 respondent to consider the same on its own merits and pass appropriate



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orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

5.Considering the limited scope of relief sought for by the petitioner, this Court hereby direct the respondent to consider the petitioner's representation dated 13.01.2021 and to pass appropriate orders in accordance with law within a period of 12 weeks from the date of receipt of copy of this order.

6.Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

12.04.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Mrn



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L.VICTORIA GOWRI, J.

Mrn

To
The District Education Officer,
District Education Officer,
Mannarkudi.

Order made in
W.P(MD)No.5185 of 2021

12.04.2024