



W.P.(MD).No.7900 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.7900 of 2024

E.L.Peter Singh

... Petitioner

Vs.

1.The Director of School Education,
DPI Campus,
College Road, Chennai-6.

2.The District Educational Officer,
Kuzhithurai,
Kamyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the petitioner's claim for compassionate appointment in the place of the petitioner's mother late.Lettisal on the basis of the petitioner's representation, dated 31-04-2023 forth with.

For Petitioner : Mr.N.S.Ramakrishna Dass

For Respondents : Mr.M.Sarangan
Additional Government Pleader



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ORDER

The present writ petition has been filed seeking direction to the respondents to consider the petitioner's claim for compassionate appointment in the place of the petitioner's mother late.Lettisal on the basis of the petitioner's representation, dated 31-04-2023 forth with.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner,s mother, namely J.Lettisal was serving as a Secondary Grade Teacher in L.M.N School, Malaicode, Kanyakumari District, which comes under the jurisdiction of 2nd respondent. While in service, she passed away on 17.11.1998. The petitioner's father predeceased his mother on 02.08.1998. The petitioner's parents were survived by the petitioner and his sister. On 27.01.2000, the petitioner made a representation to the 2nd respondent seeking appointment on compassionate ground. Further, he made several representations to the respondents and last of such representation was sent on 31.04.2023. However, the same was not considered. Hence, this writ petition came to be filed.



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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 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. Without going into the merits of this case, this Court direct the 2nd respondent to consider the representation of the petitioner, dated 31.04.2023 and pass appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of copy of this order.

6. With the above said observations, this Writ Petition stands disposed of. No costs.

28.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To

- 1.The Director of School Education,
DPI Campus,
College Road, Chennai-6.
- 2.The District Educational Officer,
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L.VICTORIA GOWRI, J.

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