



WP(MD). No.16339 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 22/07/2024

CORAM

The Hon`ble Ms.Justice R.N.MANJULA

WP(MD). No.16339 of 2024

A.Manjula

... Petitioner

Vs

1. The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
School Education Department, Fort St. George, Secretariat,
Chennai - 600 009.
 2. The Director of School Education,
School Education Department, Chennai - 600 006..
 3. The Joint Director (Vocational) Education,
School Education Department,
College Road, Chennai - 600 006.
 4. The Chief Accounts Officer,
Commissioner of School Education,
Chennai - 600 006.
 5. The District Educational Officer (Secondary),
O/o.The District Educational Office,
Kovilpatti, Thoothukudi District.
 6. The Headmaster,
Government Higher Secondary School,
Vanaramutti, Kovilpatti Thoothukudi District
- ... Respondents



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PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 5th respondent to confer selection grade to the petitioner for having completed the 12 years of service in the post of Computer Instructor / Computer Instructor Grade-I and by considering the petitioner's representation dated 14.06.2023, within the time stipulated by this Court.

For Petitioner : Mr.S.Mohammed Suhail for
M/s.Ajmal Associates

For Respondents : Mr.T.Amjad Khan
Government Advocate

ORDER

Heard Mr.S.Mohammed Suhail, learned counsel for the petitioner and Mr.T.Amjad Khan, learned Government Advocate, for the respondents.

2.This writ petition has been filed to direct the 5th respondent to confer selection grade to the petitioner for having completed the 12 years of service in the post of Computer Instructor / Computer Instructor Grade-I and by considering the petitioner's representation dated 14.06.2023, within the time stipulated by this Court.



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

4. The petitioner is working as a Computer Instructor since 25.06.2012. Upon completion of ten years, the petitioner is entitled for selection grade, ie., in the year 2022. Since the same was not conferred, he has sent a representation to the respondents on 14.06.2023. The said representation was not considered so far and hence, the petitioner is before this Court with this writ petition.

5. 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 a direction to



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consider the representation of the petitioner within a specified time frame.

6. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 08.07.2024 on its own merits and pass appropriate orders in accordance with law, after making due enquiry, 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 gone into the merits of the case or the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

7. With the above direction, this writ petition is **disposed of**. No costs.

22.07.2024

RR



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To

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2. The Director of School Education,
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R.N.MANJULA,J

RR

**ORDER
IN
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Date : 22/07/2024