



W.P.(MD)No.17983 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2024

CORAM:

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

W.P.(MD)No.17983 of 2024

J.Kosiya Jane

... Petitioner

vs.

1.The State of Tamil Nadu  
Rep. by its Secretary  
Department of School Education,  
Fort St.George, Chennai - 600 009.

2.The Director of School Education,  
College Road, Chennai

3.The Joint Director (Personnel)  
Directorate of School Education,  
College Road, Chennai - 600 006.

4.The Chief Educational Officer,  
Kanyakumari District at Nagercoil,  
Kanyakumari District.

5.The District Educational Officer,  
Nagercoil, Kanyakumari District.

6.The Headmaster,  
Government Higher Secondary School,  
Kandanvilai,  
Kanyakumari District.

... Respondents



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**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 3 to 5 to disburse the annual increment, selection grade pay and other service benefits to the petitioner in the post of Graduate Assistant (Social Science) from the date of her appointment viz. 09.09.2010 by considering the representation dated 22.07.2021.

For Petitioner : Mr.M.F.Rooshi Maas  
for M/s.Isaac Chambers

For Respondents : Mr.T.Amjadkhan  
Government Advocate

### **ORDER**

The petitioner herein, who is working as a Graduate Assistant (Social Science) in the sixth respondent School, had given a representation dated 22.07.2021 to the fourth respondent seeking to provide annual increment, selection grade pay and other service benefits to her. Since the said representation was not considered, the present writ petition has been filed.

2. It is needless to point out that whenever a representation of this nature is made to a Government Authority, there is a duty cast upon



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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. 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 fourth respondent is required to be given with a direction to consider the representation of the petitioner within a specified time frame.

**3.** In the light of the above observations, there shall be a direction to the fourth respondent herein to consider the petitioner's representation dated 22.07.2021 on its own merits and pass appropriate orders in accordance with law, within a period of six 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 claim of the petitioner and it is open to the fourth respondent to consider the same on its own merits.



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4. With the above direction, the Writ Petition stands **disposed**

**of.** No costs.

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NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

*mbi*

To

- 1.The Secretary  
Department of School Education,  
Fort St.George, Chennai - 600 009.
- 2.The Director of School Education,  
College Road, Chennai
- 3.The Joint Director (Personnel)  
Directorate of School Education,  
College Road, Chennai - 600 006.
- 4.The Chief Educational Officer,  
Kanyakumari District at Nagercoil,  
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- 5.The District Educational Officer,  
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R.N.MANJULA, J.

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