



W.P.(MD).No.18579 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.18579 of 2024

V.Malathi

Vs

...Petitioner

- 1.The District Collector, Maurai
cum the President of Bala Mandhiram
Higher Secondary School,
Madurai – 625 014.
- 2.The Chief Educational Officer,
The Chief Educational Office,
Tallakulam,
Madurai – 625 002.
- 3.The District Educational Officer,
The District Educational office,
Melur,
Madurai District.
- 4.The Secretary,
Bala Mandhiram Higher Secondary School,
Madurai – 625 014.
- 5.The Headmistress,
Bala Mandhiram Higher Secondary School,
Madurai – 625 014.
- 6.S.Rajaram



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7.A.Indiradevi

8.P.Hemalatha

... 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 1 to 4 to consider the petitioner's representation dated 19.06.2024 and subsequent letter dated 23.07.2024 within a time frame.

For Petitioner : Mr.V.Nagendran

For R-1 to R-3 : Mr.T.Amjadkhan
Government Advocate

ORDER

Heard Mr.V.Nagendran, learned counsel for the petitioner and Mr.T.Amjadkhan, learned Government Advocate for the respondents 1 to 3.

2. This Writ Petition has been filed seeking direction against the respondents 1 to 4 to consider the petitioner's representation dated 19.06.2024 and subsequent letter dated 23.07.2024.

3. The grievance of the petitioner is that there are juniors available in the fifth respondent School, but the petitioner has been disturbed due



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to deployment. She was deployed to MAVMM Higher Secondary School, Yanaikkal, Madurai on the ground of surplus teachers available in the fifth respondent School, without considering her seniority. Aggrieved over the deployment order, he has filed Writ Petition in W.P.(MD)No.11817 of 2024 and this Court vide order dated 06.06.2024 disposed of the said Writ Petition with liberty to the petitioner to give a representation clarifying her seniority. In this regard, the petitioner herein had given representations to the respondents 1 to 4 on 19.06.2024 and 23.07.2024 seeking to take action as per the order dated 06.06.2024 passed in W.P.(MD)No.11817 of 2024. Since the said representations were not considered, the present writ petition has been filed.

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 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



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of India, the respondents are required to be given with direction to consider the representation of the petitioner within a specified time frame.

5. In the light of the above observations, there shall be a direction to the respondents 1 to 4 herein to consider the petitioner's representation dated 19.06.2024 and subsequent letter dated 23.07.2024 on its own merits and pass appropriate orders in accordance with law, 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 expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the respondents 1 to 4 to consider the same on its own merits.

6. With the above direction, the Writ Petition stands **disposed of**.

No costs.

02.08.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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To:
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R.N.MANJULA, J.

Nsr

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