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W.P.(MD)No.18459 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.18459 of 2024

and

W.M.P.(MD)No.15694 of 2024

C.Jamina

... Petitioner

Vs.

1.The Director of School Education,
DPI Campus, College Road,
Chennai-06.

2.The Joint Director (HSS),
DPI Campus, College Road,
Chennai-06.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the third respondent to consider petitioner's representation dated 05.06.2024 and subsequent reminder on 29.06.2024 and 16.07.2024 and pass order permitting the petitioner to discharge her official duties as Headmistress at SLB Government Higher Secondary School, Nagercoil, Kanyakumari District forthwith.

For Petitioner : Mr.S.Palanivelayutham
For Respondents : Mr.T.Amjadkhan
Government Advocate



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ORDER

Heard Mr.S.Palanivelayutham, learned counsel for the petitioner and Mr.T.Amjadkhan, learned Government Advocate for the respondents.

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

3.The petitioner has made a representation dated 05.06.2024 seeking permission to discharge her duty as Headmistress at SLB Government Higher Secondary School, Nagercoil, Kanyakumari to the third respondent. Since the same was not considered so far, the petitioner has filed this writ petition.

4.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 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



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required to be given with a 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 third respondent herein to consider the petitioner's representation dated 05.06.2024 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 gone into the merits of the claim of the petitioner and it is open to the respondents to consider the same on its own merits.

6.With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

02.08.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
ta

To
1.The Director of School Education,
DPI Campus, College Road, Chennai-06.

2.The Joint Director (HSS),
DPI Campus, College Road, Chennai-06.

3.The Chief Educational Officer,
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R.N.MANJULA, J.

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