



W.P.(MD).No.28095 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.28095 of 2024

P.Vadivel

... Petitioner

Vs.

- 1.The Director of School Education,
Chennai.
- 2.The Chief Educational Officer,
Office of the Chief Educational Office,
Virudhunagar District.
- 3.The District Educational Officer,
Office of the Chief Educational Office,
Sivakasi,
Virudhunagar District.
- 4.The Secretary,
Sivanthipatti Nadar Higher Secondary
School,
Mamsapuram,
Virudhunagar District.
- 5.The Principal,
Sivanthipatti Nadar Higher Secondary
School,
Mamsapuram,
Virudhunagar District.

6.A.Pon Mayandi

... Respondents



W.P.(MD).No.28095 of 2024

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 3 to conduct enquiry and take necessary action against the respondents 4 to 6 in the light of the communication of the 3rd respondent dated 01.10.2024 and by considering the petitioner's representation dated 15.10.2024.

For Petitioner : Mr.M.Karunanithi

For R-1 to R-3 : Mr.T.Amjad Khan,
Government Advocate

ORDER

Considering the limited prayer sought for by the petitioner notice to the respondents 4 to 6 is dispensed with.

2. This writ petition has been filed to direct the respondents 1 to 3 to conduct enquiry and take necessary action against the respondents 4 to 6 in the light of the communication of the 3rd respondent dated 01.10.2024 and by considering the petitioner's representation dated 15.10.2024.

3. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3 and carefully perused the materials available on record.



W.P.(MD).No.28095 of 2024

WEB COPY

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 hereby direct the respondents 1 to 3 to consider the petitioner's representation dated 15.10.2024, consequently, conduct an enquiry and take necessary action against the respondents 4 to 6 in the light of the communication of the 3rd respondent dated 01.10.2024 after giving an opportunity of hearing to the respondents 4 to 6 and pass appropriate orders in accordance with law within a period of eight (8) weeks from the date of receipt of a copy of this order.



W.P.(MD).No.28095 of 2024

WEB COPY

6. Accordingly, the writ petition is disposed of. There shall be no order as to costs.

26.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

- 1.The Director of School Education,
Chennai.
- 2.The Chief Educational Officer,
Office of the Chief Educational Office,
Virudhunagar District.
- 3.The District Educational Officer,
Office of the Chief Educational Office,
Sivakasi,
Virudhunagar District.



WEB COPY



W.P.(MD).No.28095 of 2024

L.VICTORIA GOWRI, J.

Sml

W.P.(MD).No.28095 of 2024

26.11.2024