



W.P.(MD)No.6524 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6524 of 2025

Minor M.S.Visaakan
Rep. by M.Sathya Banu

: Petitioner

Vs.

1. The Directorate of School Education,
DPI College Complex Road,
Chennai - 600 006.

2. The Chief Educational Officer,
Madurai District,
Madurai.

3. The District Educational Officer,
Madurai District,
Madurai.

4. The District Collector,
Madurai District,
Madurai.

5. The Correspondent,
Rotary Laharry Matric Higher Secondary School,
V.P.Rathnasamy Nadar Road,
Madurai - 625 002.



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6. The Principal,
Rotary Laharry Matric Higher Secondary School,
V.P.Rathnasamy Nadar Road,
Madurai - 625 002.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 4 to consider the petitioner's representation and take action upon the Respondent school for physical and mental harassment caused to Petitioners children viz. Dhanya and Visaakan, and to further direct the Respondents 5 and 6 not to act in a biased manner.

For Petitioner : Mr.S.Jaya Vasanthan

For Respondents : Mr.V.Om Prakash

Government Advocate
for R1 to R4

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 to 4 to consider the petitioner's representation and take action upon the respondent school for physical and mental harassment caused to the petitioner's children namely, Dhanya and Visaakan and to further direct the respondents 5 and 6 not to act in a biased manner.



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2. Heard the learned counsel for the parties. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the respondents 5 and 6 is dispensed with.

3. Alleging that the petitioner's children, who were admitted under the RTE Act, were harassed both physically and mentally, the petitioner submitted a representation dated 05.01.2025 to the official respondents, requesting action against the respondents 5 and 6. However, as no action has been taken, the petitioner has now filed the present writ petition .

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 him 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 by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.



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5. In the light of the above observations, there shall be a direction to the respondents 1 to 4 to consider the petitioner's representation dated 05.01.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all the other persons, who may be interested in the subject matter, within a period of six weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter 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. There shall be no order as to costs.

08.04.2025

Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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