



W.P.(MD)No.15414 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

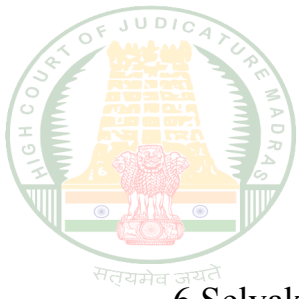
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C.Jeyaganesh

... Petitioner

-VS-

- 1.The Chief Educational Officer (SSA),
District Planning Office,
Sivagangai.
- 2.The Chief Educational Officer,
Sivagangai, Sivagangai District.
- 3.The Supervisor,
Block Resource Center,
Samagra Shiksha Abhiyaan,
Sakkottai, Sivagangai District,
Sivagangai.
- 4.A.Balumuthu,
Chief Education Officer, Sivagangai,
Sivagangai District.
- 5.A.Peter Laemayu,
Assistant Project Officer,
Samagra Shiksha Abhiyaan,
District Planning Office,
Sivagangai.



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6.Selvakumar
Supervisor,
Block Resource Center,
Chinnaya Ambalam Middle School Complex,
Karaikudi, Sivagangai District.

7.Anbarashu Prabhakar,
Headmaster,
Union Panchayat Elementary School,
Sakkottai Union, Sivagangai District.

... Respondents

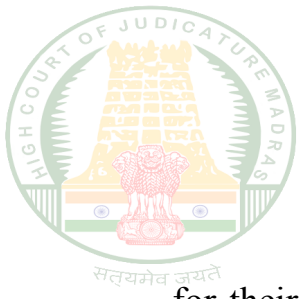
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to take necessary departmental action against the respondents 4 to 7 for their dereliction of their duty and non co-operation in furnishing the data to the petitioner for submitting his report based on the communication of the first respondent sent to the second respondent in Na.Ka.No.02530/A1/2025 dated 21.04.2025 by considering his representation dated 28.04.2025 and for such other reliefs, within the period stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For R1 to R3 : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the second respondent to take necessary departmental action against the respondents 4 to 7



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for their dereliction of duty and non-cooperation in furnishing the data required by the petitioner for submitting his report, based on the communication of the first respondent sent to the second respondent in Na.Ka.No.02530/A1/2025 dated 21.04.2025 and by considering the petitioner's representation dated 28.04.2025.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. Since no adverse orders are going to be passed against the respondents 4 to 7, notice to the respondents 4 to 7 is hereby dispensed with.

4. According to the petitioner, he is employed under the Education Department and is working under the Samagra Shiksha Abhiyaan, an integrated scheme aimed at ensuring inclusive and quality school education from Pre-KG to 12th Standard. The respondents 4 to 7, who are functioning under the same scheme, have failed to discharge their assigned duties over the past few months, thereby acting against the objectives of the scheme and adversely affecting the welfare of the students.



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5. Further, on 26.07.2024, during the petitioner's official inspection of the seventh respondent's school, the seventh respondent failed to cooperate, avoided engagement and did not attend to his teaching duties, leaving many tasks pending. Despite bringing the non-cooperation of the seventh respondent to the notice of the respondents 4 to 6, no corrective action was taken. Instead, they supported the seventh respondent, thereby failing in their supervisory responsibilities. In this regard, the petitioner submitted several representations highlighting these issues, viz., on 19.12.2024, 23.01.2025, 03.03.2025, 06.03.2025 and 28.04.2025, requesting departmental action.

6. According to the petitioner, the first respondent issued communications on 28.01.2025 and 21.04.2025 to the third and second respondents respectively, directing them to take appropriate departmental action based on the petitioner's representation. However, due to undue influence and inaction on the part of the respondents 4 to 7, no action has been taken so far and the issues remain unresolved. The petitioner is, therefore, left with no other alternative but to approach this Court seeking a direction to the second respondent to initiate



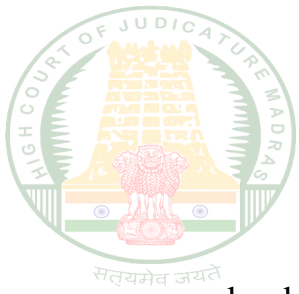
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necessary departmental action against the respondents 4 to 7 for dereliction of duty and non-cooperation.

7. Heard the learned counsel appearing for the parties.

8. 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.

9. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 28.04.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the respondents 4 to 7, within a period of two months from the date of receipt of a copy of this order. It is also



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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 second respondent to consider the same on its own merits.

10. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
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16.06.2025

To:-

- 1.The Chief Educational Officer (SSA),
District Planning Office,
Sivagangai.
- 2.The Chief Educational Officer,
Sivagangai, Sivagangai District.
- 3.The Supervisor,
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VIVEK KUMAR SINGH, J.

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