

W.P.(MD).No.16515 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.16515 of 2025

Manager and Correspondent,
T.M.B.Mcavoy Rural Higher Secondary School,
Ottapidaram – 628 401,
Thoothukudi District.

... Petitioner

-VS-

1. The State of Tamilnadu,
Rep by its Secretary,
Department of School Education,
Fort St. George, Chennai 600 009.

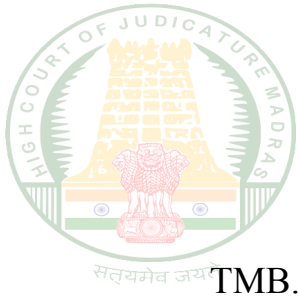
2. The Director of School Education,
College Road,
Chennai 600009.

3. The Chief Educational Officer,
Thoothukudi, Thoothukudi District.

4. The District Educational Officer (Secondary Education),
Kovilpatti,
Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent Chief Educational Officer herein to approve forthwith the appointment of M.Rekha as BT Assistant (Tamil) w.e.f., 03.12.2024 in the petitioner's school namely,



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TMB.McAvoy Rural Higher Secondary School, Ottapidaram, Thoothukudi and disburse the grant-in-aid towards her salary with all attendant benefits from the said date.

For Petitioner : Ms,A.amala

For Respondents : Mr.M.Siddharthan

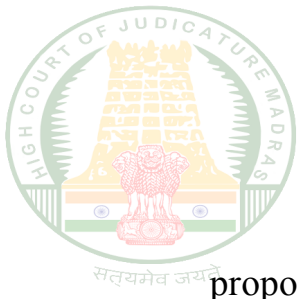
Additional Government Pleader

ORDER

This writ petition has been filed seeking a direction to the 3rd respondent Chief Educational Officer herein to approve forthwith the appointment of M.Rekha as BT Assistant (Tamil) w.e.f., 03.12.2024 in the petitioner's school namely, TMB.McAvoy Rural Higher Secondary School, Ottapidaram, Thoothukudi and disburse the grant-in-aid towards her salary with all attendant benefits from the said date.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submits that though larger relief has been sought for by the petitioner, now, she confines the prayer that it would suffice if the



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proposal submitted by the petitioner dated 23.12.2024 and the reminder dated 24.03.2025 are disposed of in accordance with law.

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.

5. In view of the above, this Court directs the third respondent to consider the proposal submitted by the petitioner dated 23.12.2024 and the reminder dated 24.03.2025, on its own merits and pass appropriate orders, in accordance with law, within a period of two months 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 to consider the same on its own merits.



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

19.06.2025

NCC : Yes/No
Index : Yes / No
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TO:-

1. The Secretary,
Department of School Education,
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VIVEK KUMAR SINGH, J.

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Order made in
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