



W.P.(MD)No.17196 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.17196 of 2025

Santha

... Petitioner

-VS-

- 1.The District Education Officer,
Primary Education,
H.A.K. Road, Thallakulam,
Madurai - 625 002.
- 2.The Block Educational Officer,
Madurai West Union,
Anaiyur, Madurai.
- 3.The Headmaster,
Panchayat Union Elementary School,
Thiruppalai, Madurai District.
- 4.M.Deivagani

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to take necessary steps to recover the amount of Rs.3,50,000/- from the fourth respondent's salary or her service benefits as per the Lok Adalat Award No.568/2024 dated 08.06.2024 in S.T.C.No.164/2019, on the file of the Fast Track Court No.II,



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Madurai, by considering the petitioner's representation dated 04.12.2024 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 respondents 1 to 3 to take appropriate steps to recover a sum of Rs.3,50,000/- from the salary or service benefits of the fourth respondent, in accordance with the Lok Adalat Award No.568/2024 dated 08.06.2024, passed in S.T.C.No.164/2019, on the file of the Fast Track Court No.II, Madurai, by considering the petitioner's representation dated 04.12.2024.

2. By consent, this Writ Petition is disposed of, at the admission stage itself.

3. Since no adverse orders are going to be passed against the fourth respondent, notice to the fourth respondent is hereby dispensed with.



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4. According to the petitioner, she and the fourth respondent were close family friends. The fourth respondent, who is a Government servant working as a Teacher in the school under the third respondent, borrowed a sum of Rs.7,00,000/- from the petitioner. However, she failed to repay the amount, which led the petitioner to file S.T.C.No.164/2019 before the Fast Track Court No.II, Madurai.

5. After the case was pending for about four years, the matter was settled before the Lok Adalat on 08.06.2024, wherein the fourth respondent agreed to repay a sum of Rs.5,50,000/- in three installments. However, the fourth respondent failed to pay the second installment of Rs.2,00,000/- by the end of September 2024 and remitted the said amount belatedly. Despite repeated requests, the remaining amount has not been paid. In view of the default, the petitioner submitted a representation dated 04.12.2024 to the respondents 1 to 3, requesting them not to relieve the fourth respondent from service until the recovery of the due amount. Although the said representation was acknowledged, no further action has been taken. Therefore, the petitioner has filed the present writ petition, seeking appropriate directions for recovery.



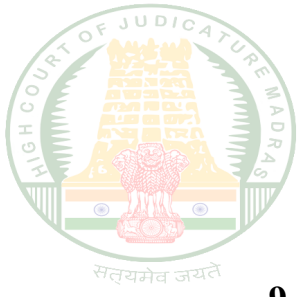
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6. Heard the learned counsel appearing for the parties.

7. 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 the India and direct them to consider the same within a stipulated time.

8. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 04.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner as well as the fourth respondent, within a period of eight 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 first respondent to consider the same on its own merits.



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9. 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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