



W.P.(MD)No.17404 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.17404 of 2025

M.Kannika

: Petitioner

Vs.

1. The Joint Director (Higher Secondary),
Directorate of School Education,
DPI Campus,
College Road,
Chennai - 6.

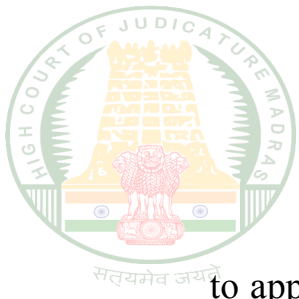
2. The Chief Educational Officer,
Theni District.

3. The District Educational Officer,
Theni,
Theni District.

4. The Secretary,
S.K.A. Higher Secondary School,
Chinnamanur,
Theni District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein



W.P.(MD)No.17404 of 2025

to appoint the petitioner as P.G. Assistant (History) by way of promotion in the 4th respondent school as per Rule 15(4) of the Tamilnadu Recognized Private Schools (Regulations) Rules, 1974 considering the representation of the petitioner dated 15.04.2025.

For Petitioner : Mr.A.K.Manikkam

For Respondents : Mr.M.Siddharthan for R1 to R3

ORDER

The writ petition has been filed for the issuance of a writ of Mandamus, directing the respondents to appoint the petitioner as P.G. Assistant (History) by way of promotion in the fourth respondent school as per Rule 15(4) of the Tamilnadu Recognized Private Schools (Regulations) Rules, 1974, by considering the representation of the petitioner dated 15.04.2025.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the fourth respondent is dispensed with.



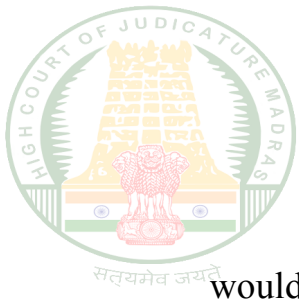
W.P.(MD)No.17404 of 2025

WEB COPY

3. The petitioner was appointed as a Drawing Teacher in the fourth respondent School on 01.04.2013. The grievance of the petitioner is that, although she is eligible for promotion as per Rule 15(4) of the Tamil Nadu Recognized Private Schools (Regulation) Rules, 1974, the fourth respondent intends to make a direct appointment. In this regard, the petitioner submitted a representation dated 15.04.2025 to the respondents, requesting that she may be promoted in accordance with the Rules. As no action has been taken on the said representation, the petitioner has now filed the present writ petition.

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the fourth respondent to consider the representation of the petitioner and pass appropriate orders, within a time frame that may be stipulated by this court.

5. 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



W.P.(MD)No.17404 of 2025

WEB COPY

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.

6. In the light of the above observations, there shall be a direction to the fourth respondent to consider the petitioner's representation dated 15.04.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of four 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 fourth respondent to consider the same on its own merits.

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

26.06.2025

Index : Yes / No

Internet : Yes / No

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W.P.(MD)No.17404 of 2025

VIVEK KUMAR SINGH, J.

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