



W.P.(MD).No.17611 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 01.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.17611 of 2025

Secretary,
MLWA Higher Secondary School,
9, Raja Mill Road,
Maninagaram,
Madurai – 625 001.

... Petitioner

-VS-

1. The State of Tamil Nadu,
Represented by its Secretary,
Department of School Education,
Fort St. George,
Chennai - 600 009.
2. The Director of School Education,
College Road,
Chennai - 600 009.
3. The Chief Educational Officer,
Madurai,
Madurai District.
4. The District Educational Officer (Secondary Education),
Madurai - 625 002,
Madurai District.

... Respondents



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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 forthwith accord permission to fill up the single post of Lab Assistant.

For Petitioner : Ms.A.Amala

For Respondents : Mr.M.Siddharthan

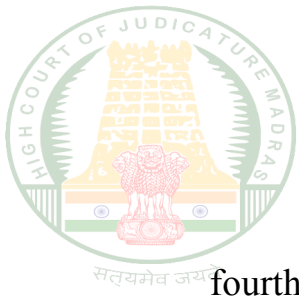
Additional Government Pleader

ORDER

This writ petition has been filed seeking a direction to the 3rd respondent to forthwith accord permission to fill up the single post of 'Lab Assistant' in the petitioner school.

2. Heard the learned counsel on either side.

3. The petitioner school is being administered by the Charity Trust, providing education to the children at free of charges. The post of 'Lab Assistant' became vacant due to promotion of one Sanmugapriya as PG Assistant (English). The petitioner school submitted a proposal to the third respondent through the fourth respondent to fill up the said vacancy. The



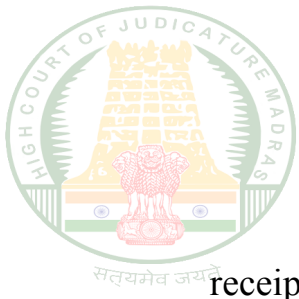
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fourth respondent returned the said proposal stating that proposal seeking permission for direct recruitment cannot be forwarded to the third respondent. The petitioner has submitted a detailed representation on 06.11.2024 and also a reminder dated 27.05.2025 to fill up the vacancy of Lab Assistant. Since the said representations have not been considered, the petitioner filed this 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.

5. In the light of the above observations, there shall be a direction to the third respondent to consider the petitioner's representation on 06.11.2024 and also a reminder dated 27.05.2025 on its own merits and pass appropriate orders in accordance with law, within a period of two months from the date of



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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.

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

01.07.2025

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

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VIVEK KUMAR SINGH, J.

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Order made in
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Dated:
01.07.2025