



W.P.(MD)No.17982 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.17982 of 2025

K.Kalaiselvi

... Petitioner

-VS-

The Joint Director of School Education (Personnel),
College Road, Chennai – 06.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the representation made by the petitioner dated 07.05.2025 and 25.06.2025, within the time limit stipulated by this Court.

For Petitioner : Mr.R.Saravanan

For Respondent : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This Writ Petition is filed seeking a direction to the respondent to consider the representations made by the petitioner dated 07.05.2025 and 25.06.2025, within the time frame stipulated by this Court.



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

3. According to the petitioner, she was appointed as B.T. Assistant (Social Science) on 26.09.2014 at Government High School, Koovanur, Viluppuram District and subsequently transferred to Government Higher Secondary School, Mangadu, Pudukottai District on 07.09.2016. By order dated 14.03.2022 (Na.Ka.No.4560/Aa2/2021) issued by the District Educational Officer, Pudukottai, the petitioner was transferred to Government Higher Secondary School, Thirumayam, in a 'Need Vacancy' and joined duty thereon 18.03.2022. The post of B.T. Assistant (Social Science) at Thirumayam, where the petitioner is now posted, is now declared surplus and counselling for the same is scheduled for 07.07.2025, thereby exposing the petitioner to the risk of yet another transfer. Due to repeated transfers on the ground of surplus, the petitioner is losing her station seniority and is unable to secure posting in her native District of Madurai, despite her service tenure extending till 2031. Hence, the petitioner submitted representations dated 07.05.2025 and 25.06.2025 to the respondents requesting to consider her case, but no action has been taken till date. The petitioner has no



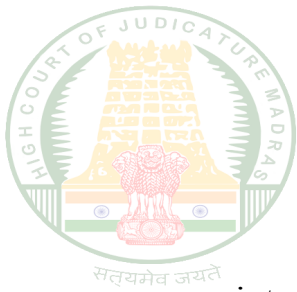
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alternative efficacious remedy except to approach this Court for appropriate relief.

4. Heard both sides.

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 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 respondent herein to consider the petitioner's representation dated 25.06.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of one month 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 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.

NCC : Yes / No
Index : Yes / No
smn2

03.07.2025

To:-

The Joint Director of School Education (Personnel),
College Road, Chennai – 06.



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VIVEK KUMAR SINGH, J.

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