



W.P.(MD)No.18729 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

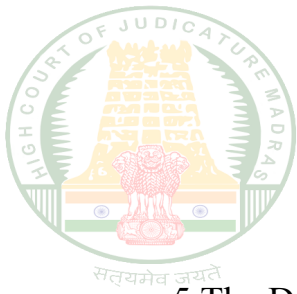
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N.Ravikumar

... Petitioner

-VS-

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
St. George Fort,
Chennai.
- 2.The Director of School Education,
O/o. Director of School Education,
DPI Campus,
College Road,
Nungambakkam,
Chennai.
- 3.The Joint Director (Personnel),
O/o. Joint Director (Personnel),
DPI Campus,
Chennai.
- 4.The Chief Educational Officer,
Virudhunagar District,
Virudhunagar.



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5. The District Educational Officer,
Virudhunagar District,
Virudhunagar.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to issue order declaring the completion of period probation in the post of Junior Assistant on the strength of proposal of the fourth respondent in Na.Ka.No.3147/A1/2022 dated 17.06.2022 to extend all the consequential service and monetary benefits on his appointment as Drawing Master by considering the representation of the petitioner dated 23.05.2025, within the time that may be stipulated by this Court.

For Petitioner : Mr.A.Sheik Abdulla

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the third respondent to issue an order declaring the completion of the probation period for the post of Junior Assistant, based on the proposal of the fourth respondent in Na.Ka.No. 3147/A1/2022 dated 17.06.2022 and to extend all the consequential service and monetary benefits upon his appointment as Drawing Master, by considering the representation of the petitioner dated 23.05.2025, within the time frame that may be stipulated by this Court.

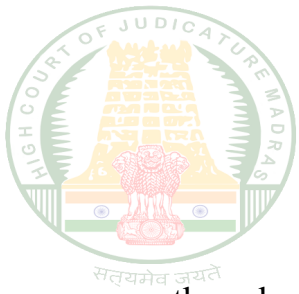


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2. According to the petitioner, he was initially appointed as a 'Lab Attender' on 17.06.1988 and the post was later redesignated as 'Lab Assistant'. His services in that post were regularized and probation was declared on 16.06.1990. Subsequently, considering his 10th Standard qualification, he was appointed as 'Junior Assistant' through compassionate grounds on 06.02.1992 and his services were regularized from the same date. The petitioner qualified the Office Manual Examination in November 1994, which is necessary for probation in the Junior Assistant cadre. Despite this, due to administrative delays, his probation was belatedly completed on 10.01.2012. Meanwhile, based on his educational qualifications, he applied for transfer to the post of Drawing Teacher as per the panel prepared on 01.01.2010. His application clearly mentioned the non-declaration of probation in the Junior Assistant cadre. He was transferred to the post of Drawing Master by proceedings dated 28.02.2012 and joined on 17.05.2012.

3. Though a proposal for declaring probation was sent by the fifth respondent on 11.03.2015 and again in 2021 and 2022, no action was taken by the authorities. Despite repeated representations, including one dated 23.05.2025,

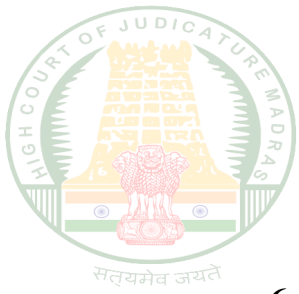


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there has been no response. Due to the failure to declare his probation in the post of Junior Assistant, the petitioner continues to face undue hardship and loss of service and monetary benefits. Hence, the petitioner prays for appropriate directions to declare the completion of his probation in the post of 'Junior Assistant' and grant all consequential benefits.

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.



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6. In the light of the above observations, there shall be a direction to the third respondent to consider the petitioner's representation dated 23.05.2025, 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 third respondent to consider the same on its own merits.

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

NCC : Yes / No
Index : Yes / No
smn2
To:-

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- 1.The Principal Secretary to Government of Tamil Nadu,
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- 2.The Director of School Education,
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VIVEK KUMAR SINGH, J.

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