



W.P.(MD)No.19367 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19367 of 2025

T.Banuppriya

... Petitioner

-VS-

1.The Director of School Education,
DPI Campus,
Chennai.

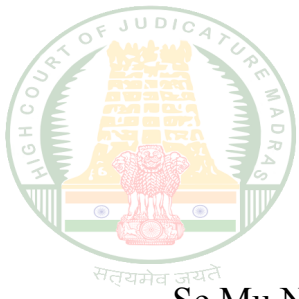
2.The Commissioner/Director,
Most Backward and Denotified Communities,
Welfare Department,
Chennai.

3.The Joint Director,
Kallar Reclamation,
Madurai.

4.The Headmaster,
Government Kallar Higher Secondary School,
A.Poochipatti,
Usilampatti Taluk,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent herein to issue relieving order in the light of No Objection Certificate (NOC) in



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Se.Mu.No.B2/321/2023 dated 17.02.2023 issued by second respondent so as to enable the petitioner to join in the Government Model Higher Secondary School, Jolarpettai, by the proceedings of the first respondent in 21243/C3/S1/2023 dated 18.08.2023, by considering the petitioner's representations dated 05.05.2025 and 09.07.2025 and pass appropriate orders within a time stipulated by this Court.

For Petitioner : Mr.S.Vahik Ali

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the second respondent to issue the relieving order to the petitioner in view of the No Objection Certificate (NOC) bearing Se.Mu.No.B2/321/2023 dated 17.02.2023 issued by the second respondent, so as to enable the petitioner to join duty at the Government Model Higher Secondary School, Jolarpettai, pursuant to the proceedings of the first respondent in 21243/C3/S1/2023 dated 18.08.2023, by considering the petitioner's representations dated 05.05.2025 and 09.07.2025 and to pass appropriate orders within a time frame that may be 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. The petitioner submits that she had applied for a No Objection Certificate (NOC) to the Education Department from the Kallar Reclamation School, in accordance with G.O.Ms.No.73, dated 25.08.2022, issued by the Principal Secretary to Government, Backward Classes, Most Backward Classes and Minorities Welfare Department. Pursuant thereto, the second respondent issued the NOC vide proceedings in Se.Mu.No.B2/321/2023 dated 17.02.2023. Based on this, the petitioner was selected for appointment at the Government Girls Higher Secondary School, Jolarpettai, as per the proceedings of the first respondent in 21243/C3/S1/2023 dated 18.08.2023. Despite having submitted representations, requesting issuance of a relieving order to the second respondent through proper channel, including one in the year 2023 duly forwarded by the fourth respondent and a subsequent detailed representation dated 02.04.2025, no action has been taken till date. The petitioner is being compelled to run from pillar to post without any resolution. Hence, the petitioner has been constrained to approach this Court by way of the present Writ Petition, seeking appropriate directions for the redressal of her grievance.



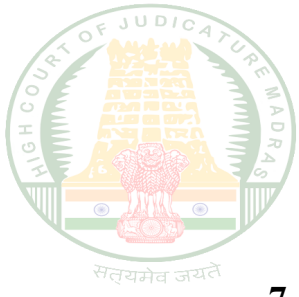
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4. Heard both sides.

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 second respondent to consider the petitioner's representations dated 05.05.2025 and 09.07.2025, 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 second respondent to consider the same on its own merits.



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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

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To:-

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