



W.P.(MD).No.19355 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19355 of 2025

A.K.Selvam

... Petitioner

-VS-

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
St. George Fort, Chennai.
2. The Chief Educational Officer,
Virudhunagar District,
Virudhunagar.
3. The Headmaster,
Government Higher Secondary School,
Nallamanaickerpatti,
Virudhunagar District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to pass the appropriate order with regard to transport allowance given by the petitioner on the strength of proposal dated 11.07.2011 vide G.O.Ms.No. 316 Finance (Allowances) Department by considering the representation of the petitioner dated 09.07.2025 within the time that may be stipulated by this Court.



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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 2nd respondent to pass the appropriate order with regard to transport allowance given by the petitioner on the strength of proposal dated 11.07.2011 vide G.O.Ms.No. 316 Finance (Allowances) Department by considering the representation of the petitioner dated 09.07.2025 within the time that may be stipulated by this Court.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. The petitioner, who is a disabled person, was appointed as a 'BT Assistant' in High School, Rangasamuthiram, Sathiyamangalam Panchayat Union, Erode District. The petitioner's disability was accessed as 60% by the medical board and he was being paid the travel allowance. While this being so, due to administrative reasons, the transport allowance is not paid from the



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year 2021. In this regard, the petitioner made a representation to the respondents dated 09.07.2025. Since the said representation was not considered, the petitioner has filed the present 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 second respondent to consider the petitioner's representation dated 09.07.2025, on its own merits and pass appropriate orders in accordance with law, within a period of six 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 respondents to consider the same on its own merits.



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

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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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