

W.P.(MD)No.22977 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.08.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.(MD) No.22977 of 2025

V.Kavitha

: Petitioner

Vs.

1. The State of Tamilnadu,
Rep. by its Principal Secretary,
School Education Department,
Fort St.George, Chennai - 09.
2. The Director of School Education,
College Road, Chennai - 06.
3. The Chief Educational Officer,
Theni - 625 531.
4. The District Educational Officer (Secondary),
Theni.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to take the 50 percent of the part time service rendered by the petitioner i.e. from 10.03.1990 to 29.05.2000 along with the regulars service for the pension benefits.



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For Petitioner : Mr.S.Saravanan

For Respondents : Mr.S.Vinodh

Government Advocate

ORDER

This writ petition has been filed seeking a direction to the respondents to take 50 percent of the part time service rendered by the petitioner i.e. from 10.03.1990 to 29.05.2000 along with the regular service for the pension benefits.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. According to the petitioner, she was appointed as Vocation Instructor as single part time in the year 1990 and she worked double part time teacher from 30.05.2000. Subsequently, she was regularised and she is due to retire on 06.06.2026. The period of service rendered by the petitioner from 10.03.1990 to 29.05.2000 has not been calculated for pensionary benefits. In this regard, the petitioner made a representation dated 01.08.2025 to the respondents and the same has not been considered till date.



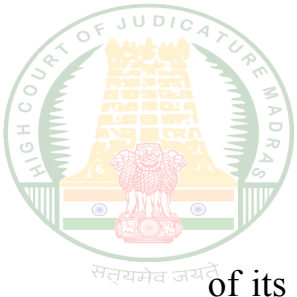
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4. The learned counsel appearing for the petitioner submits that though the aforesaid relief has been sought for by the petitioner, now, he confines the prayer that it would suffice if the representation submitted by the petitioner dated 01.08.2025 is disposed of in accordance with law.

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 respondents to consider the petitioner's representation dated 01.08.2025, 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



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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.

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

25.08.2025

Index : Yes / No
NCC : Yes / No
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M.DHANDAPANI, J.

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