

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.03.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.1690 & 1692 of 2019

1.R.Manikandan ..Petitioner in 1690/2019
2.C.R.Senthilkumar ..Petitioner in 1692/2019

-Vs-

1.The Principal Secretary to Government,
Higher Education Department,
Secretariat, Fort St.George,
Chennai - 600 009.
2.The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram - 608 002. ..Respondent in both WPs.

(Second respondent is impleaded
in both writ petitions, as per
order dated 22.03.2019 in
W.M.P.Nos.4540 & 4546 of 2019)

Common Prayer: Writ Petition filed under Article 226 of
the Constitution of India praying to issue a Writ of Mandamus,
directing the respondent to dispose of the petitioner's
representation dated 05.12.2018.

For Petitioners: Mr.Lakshmid devi Somanath

For Respondents: Mr.V.Kathirvelu
Special Government Pleader for R1

Mr.P.Godson Swaminath
for M/s.Isaac Chambers for R2
in both WPs.

COMMON ORDER

The relief as such sought for in these writ petitions is for
a direction to direct the respondents to dispose of the
petitioners representation dated 05.12.2018, and pass orders.

2. The writ petitioners were initially recruited as Lecturers in Annamalai University and subsequently, they were deputed to work in Government College. The grievances of the writ petitioners are that even after posting the writ petitioners in Government College under the control of the Department of Higher Education, the service benefits are not granted on par with other employees working in the same cadre. In this regard, the writ petitioners have submitted a representation and the same is yet to be considered.

3. This 'dispose of of the representation' mantra is increasingly permeating the judicial process in the High Courts and the Tribunals. Such orders may make for a quick or easy disposal of cases in overburdened adjudicatory institutions. But, they do no service to the cause of justice. The litigant is back again before the Court, as this case shows, having incurred attendant costs and suffered delays of the legal process.

4. This Court is of an opinion that issuing a blanket direction to consider the representation would not serve the purpose and undoubtedly, undesirable. Contrarily, the issues are to be settled in order to redress the grievances of the litigants who all are approaching High Courts. In the present case, the grievances of the writ petitioners are that they are not treated on par with other employees, who are working in the similar place.

5. The Authorities Competent bound to look into the grievances, if at all the same is admissible in accordance with the rules in force. The writ petitioners who were already observed and made to work in the department of Higher Education must be extended with the service benefits as applicable with reference to the rules in force.

6. This being the principles to be followed, the Competent Authorities are bound to consider such cases where the allegation of discrepancies or discriminations are raised and resolve the issues by considering the same with reference to the rules in force.

7. With these observations, both the writ petitions stand disposed of. However, there shall be no order as to costs.
Pns

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

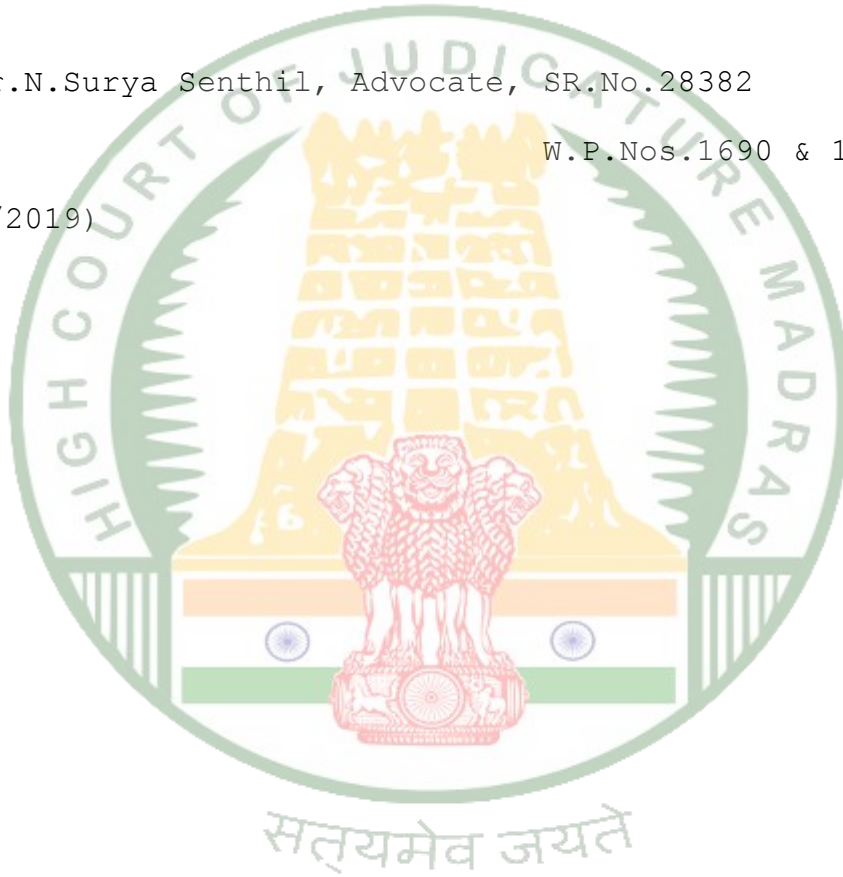
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Chennai - 600 009.

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Annamalai Nagar,
Chidambaram - 608 002.

+1cc to Mr.N.Surya Senthil, Advocate, SR.No.28382

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Kak (04/07/2019)



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