



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.26206 of 2019

Dr.V.Amutha

... Petitioner

/vs./

1. The State of Tamil Nadu,
Rep. by its Secretary,
Department of Higher Education,
Fort St.George, Chennai-600 009.
2. The Director of Collegiate Education,
College Road, Chennai-600 006.
3. The Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli-627 002.
4. The Secretary cum Correspondent,
Women's Christian College,
Nagercoil-692 001,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondents 1 to 3 herein to consider and pass orders forthwith on the proposal submitted by the fourth respondent college dated 14.10.2019 along with the representation of the petitioner dated 15.11.2019.

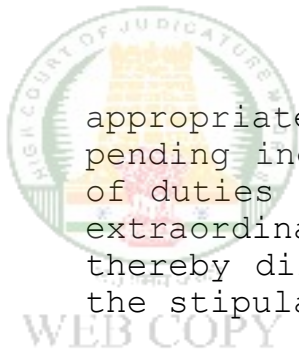
For Petitioner	: Mr.A.Rajesh
For R-1 to R-3	: Mr.R.Sethuraman, Special Government Pleader

ORDER

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

2.The limited prayer sought for in the present writ petition is for a direction to the respondents 1 to 3 herein to consider and pass orders forthwith on the proposal submitted by the fourth respondent college dated 14.10.2019 along with the representation of the petitioner dated 15.11.2019.

3.Whenever a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merits and pass



appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to consider the representation within the stipulated time.

4. In view of the above observations, there shall be a direction to the respondents 1 to 3 herein to consider the proposal submitted by the fourth respondent College dated 14.10.2019 along with the representation of the petitioner, dated 15.11.2019, on its own merits and pass appropriate orders within a period of twelve (12) weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in his representation and it is for the respondents 1 to 3 to consider it in accordance with law.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

To:

1. The Secretary,
The State of Tamil Nadu,
Department of Higher Education,
Fort St.George, Chennai-600 009.
2. The Director of Collegiate Education,
College Road, Chennai-600 006.
3. The Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli-627 002.

+1 CC to M/s.SPL.GP (SR-104494[F] dated 11/12/2019)
+1 CC to M/s.T.CIBI CHAKRABORTHY, Advocate (SR-104360[F] dated 11/12/2019)

CP

TE : 07/01/2020 : 2P/6C

Order made in
W.P. (MD) No.26206 of 2019
Dated:10.12.2019