



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.01.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P. (MD) No.1580 of 2020

Dr.Maniysundar

... Petitioner

/vs./

1.The Director,
All India Council for Technical Education
Nelson Mandale Marg,
Vasant Kunj,
New Delhi - 110 070.

2.The Registrar,
Anna University,
Chennai - 600 025.

3.The Chairman,
Spectrum College of Engineering,
run by Veera Educational Trust,
No.65, Kannan Care,
Priyam Hospital Backside,
Kondallampatti Bye pass Road,
Salem - 636 010.

4.The Treasurer,
Spectrum College of Engineering,
run by Veera Educational Trust,
26A, Pottan Kadu,
Narayanapuram,
Moyur Post, Tiruchencode - 637 304.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 3 and 4 to remit the salary for the post of Principal and Head of the Mechanical Department held by the petitioner for a period from August 2016 to September 2017 to the petitioner.

For Petitioner : Mr.M.Alagumani

For R1 : Mr.N.Dilipkumar

For R2 : Mr.M.Rajarajan
Standing Counsel



ORDER

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

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2.Though the petitioner has sought for issuance of Writ of Mandamus to the respondents 3 and 4 to remit the salary for the post of Principal and Head of the Mechanical Department held by the petitioner for a period from August 2016 to September 2017 to the petitioner, in my view, such a decision is to be taken by the respondents and in case, the petitioner is aggrieved against such any decision, it would be appropriate to approach this Court.

3.The petitioner would submit that he has already made representation on 06.08.2019 in this regard, which is said to be pending. If the said representation is directed to be disposed of within stipulated time, the ends of justice could be secured.

4.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.

5.In view of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation, dated 06.08.2019, on its own merits and pass appropriate orders within a period of six 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 first respondent to consider it in accordance with law.

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

Sd/-

Assistant Registrar (P&A)

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/ /2020

Sub Assistant Registrar(CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The Director,
All India Council for Technical Education
Nelson Mandale Marg,
Vasant Kunj,
New Delhi - 110 070.

2.The Registrar,
Anna University,
Chennai - 600 025.

+1 CC to M/s.M.ALAGAPPAN, Advocate (SR-3081[F] dated 27/01/2020)

+1 CC to M/s.M.RAJARAJAN, Advocate (SR-3235[F] dated 27/01/2020)

+1 CC to M/s.N.DILIP KUMAR, Advocate (SR-3389[F] dated 28/01/2020)

**W.P. (MD) No.1580 of 2020
27.01.2020**

JMN(06.02.2020) 3P : 6C