



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.2802 of 2020

Dr.N.Arunachalam

Petitioner

Vs

1. The Vice Chancellor,
Alagappa University,
Karaikudi - 630003.

2. The Registrar,
Alagappa University,
Karaikudi - 630003.

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to revoke the suspension order dated 15.02.2017 as per judgment reported in 2015 (3) CTC 119 (Ajay Kumar Chaudhry Vs Union of India) by dispose the petitioner's representation dated 11.06.2019, within the time limit stipulated by this Court.

For Petitioner : Mr.A.Swaminathan
For Respondents : Mr.P.Muthuvel for
M/s.Issac Chambers

O R D E R

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

2. Though the petitioner has sought for issuance of writ of mandamus to the second respondent to revoke the suspension order dated 15.02.2017 as per judgment reported in 2015 (3) CTC 119 (Ajay Kumar Chaudhry Vs Union of India), 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 11.06.2019 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 second respondent herein to consider the petitioner's representation, dated 11.06.2019, on its own merits and pass appropriate orders within a period of two (2) 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 to consider it in accordance with law.

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

Sd/-

Assistant Registrar (AD II)

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/ /2020

Sub Assistant Registrar(CS)

vrn

To

1. The Vice Chancellor,
Alagappa University,
Karaikudi - 630003.

2. The Registrar,
Alagappa University,
Karaikudi - 630003.

+1 CC to M/.ISAAC CHAMBERS, Advocate (SR-6537[F] dated 14/02/2020)

+1 CC to Mrs.M.ANBARASI, Advocate (SR-6200[F] dated 13/02/2020)

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