



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P.(MD) No.4023 of 2020

WEB COPY

P.Manoharan

... Petitioner

/vs./

The Principal Secretary to Government,
Department of Higher Education
State of Tamil Nadu, Fort St.George,
Chennai 600 009.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent herein to consider and pass orders forthwith on the petitioner's representation dated 10.01.2020 seeking issuance of necessary guidelines for effecting promotion of non-teaching staff in the aided engineering colleges.

For Petitioner : Mr.E.V.N.Siva

For Respondent : Mr.A.Thiyagarajan
Government Advocate (for R1 & R2)

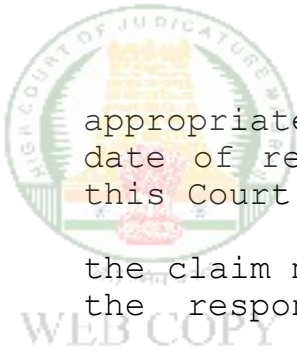
ORDER

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 by the petitioner is that to consider the representation dated 10.01.2020 seeking issuance of necessary guidelines for effecting promotion of non-teaching staff in the aided engineering colleges

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 merit 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 respondent herein to consider the petitioner's representations dated 10.01.2020 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 respondent to consider it in accordance with law.

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

sd-
Assistant Registrar(AS)

// True Copy //

/ /2020
Sub Assistant Registrar(CS)

rmk

To:

The Principal Secretary to Government,
Department of Higher Education
State of Tamil Nadu, Fort St.George,
Chennai 600 009.

+1 CC to M/s.E.V.N.SIVA, Advocate (SR-8871[F] dated 27/02/2020)

+1 CC to M/s.SPL.GP (SR-9122[F] dated 28/02/2020)

Order made in
W.P.(MD)No.4023 of 2020
27.02.2020

AP(13.03.2020) 2P 4C