

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.02.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.4229 of 2021
and
W.M.P.No.4839 of 2021

K.Rekha Petitioner

Vs

The Director / Commissioner of Technical Education,
Directorate of Technical Education,
Guindy, Chennai - 25. Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondent to pass orders on the representation dated 05.02.2021 pursuant to the clarificatory letter of the respondent made in Letter No.37876/A2/2017, dated 06.10.2017 on merits and within a time to be stipulated by this Court.

For Petitioner : Mr.L.Chandrakumar
For Respondent : Mr.S.Karthikeibalan,
Government Advocate

O R D E R

This writ petition has been filed, seeking a direction to the respondent to pass orders on the representation dated 05.02.2021 pursuant to the clarificatory letter of the respondent made in Letter No.37876/A2/2017, dated 06.10.2017 on merits and within a time to be stipulated by this Court.

2. By consent, the Writ Petition has been taken up for final disposal at the admission stage. Mr.S.Karthikeibalan, learned Government Advocate takes notice for respondents.

3. The case of the petitioner is that the petitioner is initially appointed as Lecturer (now re-designated as Assistant Professor) on 27.07.2006 in Civil Engineering Department by the Teachers Recruitment Board and the next avenue of promotion is to that of Associate Professor. As no seniority has been assigned, the petitioner made a representation, seeking consideration of drawl of Seniority. The respondent vide communication dated 06.10.2017 and 20.12.2017, informed that the same is under active consideration. But till date neither any Seniority in conformity with Rules and Roaster has been drawn. Hence, she made a representation dated 05.02.2021 to the respondent to drawl of seniority. The petitioner has filed the present writ petition, seeking for an early disposal on her representation,

4. Heard the learned counsel appearing on either side and perused the materials available on record.

5. In view of the limited prayer sought for by the petitioner and if the Petitioner's representation is already pending with the authorities concerned and, not disposed of earlier, this Court directs the first respondent to consider the representation of the petitioner dated 05.02.2021 and pass appropriate orders, in accordance with law, after affording an opportunity of hearing to all parties concerned, as expeditiously as possible, preferably within a period of 60 days from the date of receipt of a copy of this order.

6. The petitioner shall furnish her phone number, email ID, if any, etc., along with a copy of the representation dated 05.02.2021 and this order, to the respondents forthwith. The respondents are directed to communicate the decision taken on the representation, to the petitioner within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/registered post/speed post, so that there is no need for the parties to file contempt after expiry of the specified period. In case the authorities concerned fail to send communication to the parties, they will have to face the civil imprisonment in case of contempt proceedings and, if they are unable to serve the order and the cover being returned un-served for one reason or the other, the same shall be kept in the file without opening it for the proof of attempt of delivery, so that the parties, at a later point of time, will not take a plea that she is not aware of the order.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vum

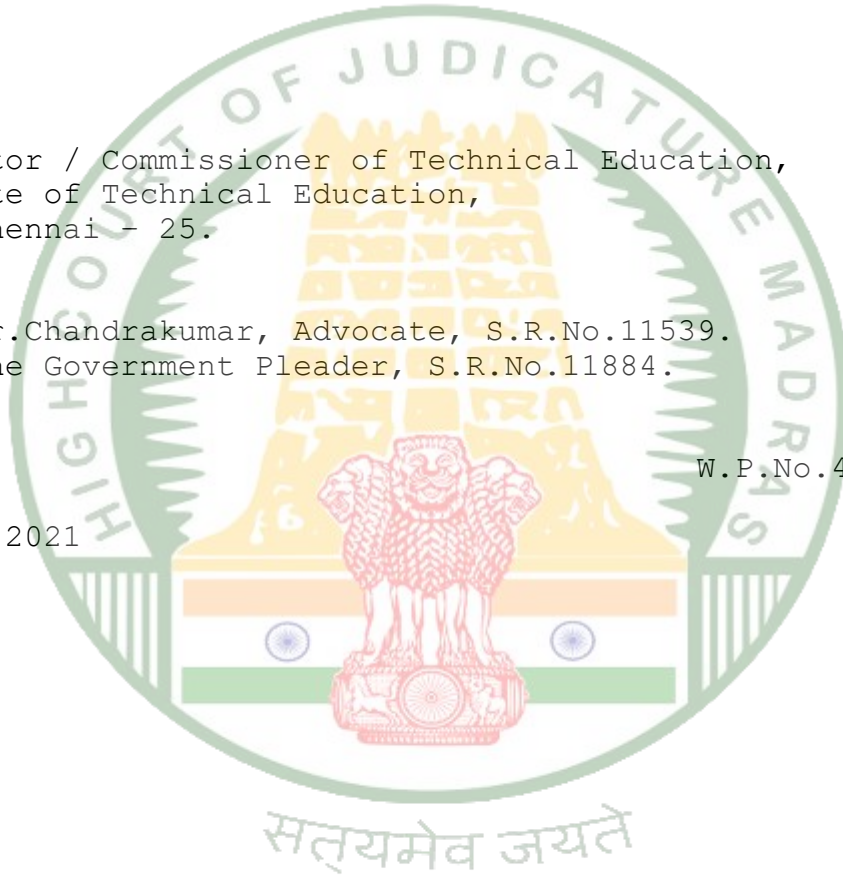
To:

The Director / Commissioner of Technical Education,
Directorate of Technical Education,
Guindy, Chennai - 25.

+1cc to Mr.Chandrakumar, Advocate, S.R.No.11539.
+1cc to the Government Pleader, S.R.No.11884.

W.P.No.4229 of 2021

MG(CO)
CSR 22.03.2021



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