

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 29.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.NO.10988 OF 2021

S.Deepakraja

...Petitioner

Vs

1. The State of Tamil Nadu  
Rep., by its Secretary,  
Department of Higher Education,  
Fort St. George, Chennai.
2. The Director of Collegiate Education,  
College Road, Chennai-600 006.
3. The Joint Director of Collegiate Education,  
Madurai Region,  
Sellur, Madurai-625 002.
4. The Correspondent/Secretary  
Rajapalayam Rajus' College,  
Rajapalayam-626 117. ....Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 and 2 herein to approve the petitioner's appointment as Sweeper in the fourth respondent College with effect from 22.01.2021 with all service and monetary benefits in light of the orders passed by this Court in W.P.(MD).No.1234/2014 dated 26.02.2015, W.P.Nos.6679 and 6680 of 2016 dated 24.11.2017, W.A.Nos.2096 & 2124 of 2019 dated 19.07.2019 and proceedings of the second respondent in Pa.Mu.No.4874/Aa2/2013 dated 28.08.2019.

For Petitioner : Mr.A.Rajesh

For Respondents: Mr.S.Karthikeya Balan, GA  
RR1 to RR3

O R D E R

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

2. Since the petitioner's request to the respondents to approve his appointment as Sweeper in the fourth respondent College was not considered, the present writ petition has been filed. According to the petitioner, he has made a representation in this regard on 18.03.2021, which is still pending.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, 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. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

4. In the light of the above observations, it would be appropriate to direct the second and third respondents herein to consider the petitioner's representation dated 18.03.2021 within a stipulated time and thereby, the ends of justice could be secured. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the concerned respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the second and third respondents to consider the petitioner's representation dated 18.03.2021 on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sbn/hvk

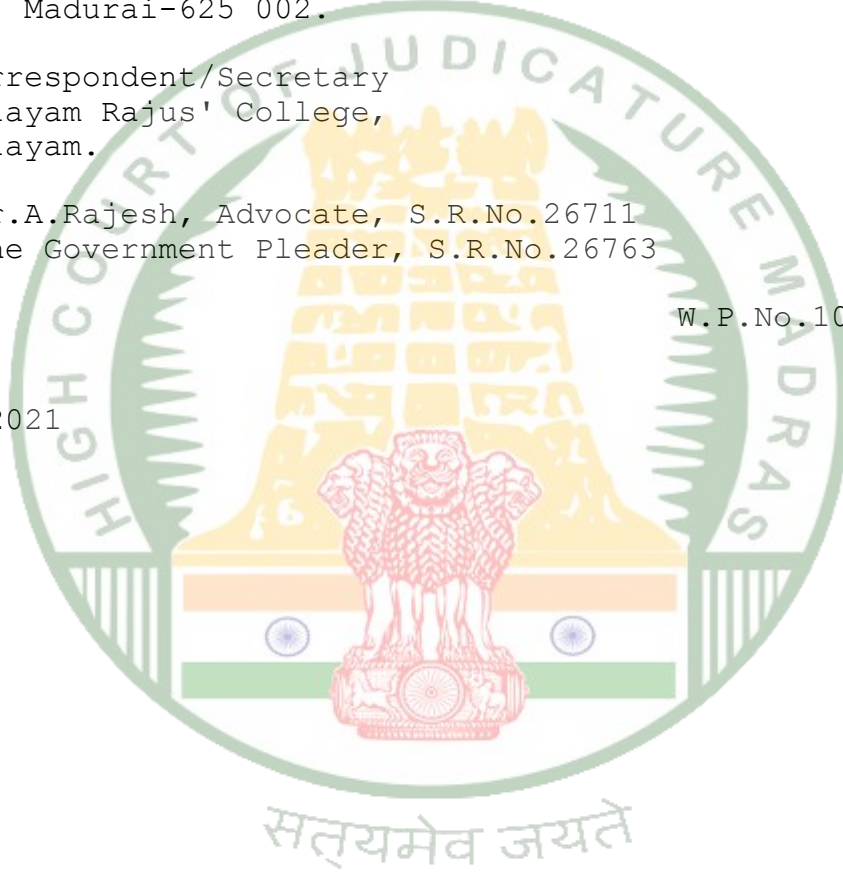
To

1. The Secretary,  
The State of Tamil Nadu,  
Department of Higher Education,  
Fort St. George, Chennai.
2. The Director of Collegiate Education,  
College Road, Chennai 600 006.
3. The Joint Director of Collegiate Education,  
Madurai Region,  
Sellur, Madurai-625 002.
4. The Correspondent/Secretary  
Rajapalayam Rajus' College,  
Rajapalayam.

+1cc to Mr.A.Rajesh, Advocate, S.R.No.26711  
+1cc to the Government Pleader, S.R.No.26763

W.P.No.10988 of 2021

SSN(CO)  
CS/01/07/2021



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