



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2021

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD)No.414 of 2021

Dr.R.Radhika Devi

: Petitioner

Vs.

1.The Secretary,
Department of Higher Education,
Government of Tamil Nadu,
St.George Fort, Chennai - 600 009.

2.The Vice-Chancellor,
Madurai Kamaraj University,
Palkalai Nagar, Madurai - 625 021.

3.The Registrar,
Madurai Kamaraj University,
Palkalai Nagar, Madurai - 625 021.

4.The Deputy Director,
Local Fund Audit,
Madurai Kamaraj University, Madurai - 625 021.

5.The Finance Officer,
Madurai Kamaraj University,
Madurai - 625 021.

: Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the first respondent to dispose of the petitioner's representations dated 10.8.2020 and reminder on 02.11.2020 in accordance with law within the time stipulated by this Court.

For Petitioner

:Mr.Babu Rajendran

For R1

:Mr.S.Dhayalan
Government Advocate

For R2 to R5

:Mr.Isaac Mohanlal
Senior Counsel
for M/s.Isaac Chambers



ORDER

Since the petitioner's request to the respondents to drop all the defects against her appointment in Women's Studies Centre, was not considered, the Writ Petition has been filed. According to the petitioner, she has made a representation in this regard on 10.08.2020, which is still pending.

2.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.

3.In the light of the above observations, it would be appropriate to direct the respondents 3 and 4 herein to consider the petitioner's representation dated 10.08.2020, 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 view with regard to the merits of the claim of the petitioner and that it is open to the concerned respondents to consider the same on its own merits.

4.Accordingly, there shall be a direction to the respondents 3 and 4 to consider the petitioner's representation dated 10.08.2020, on its own merits and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (W)

// True Copy //

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Sub Assistant Registrar (CS)



To

- W.P. (MD) No. 414 of 2021
05.02.2021

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