



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.512 of 2021

and W.M.P.(MD).Nos.439 & 441 of 2021

WEB COPY

S.Radhika

...Petitioner

Vs.

1.The Chairman,

Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus, College Road,
Chennai - 06.

2.The Chief Educational Officer,
O/o. The Chief Educational Office,
Madurai.

3.The Member Secretary,
Tamil Nadu State Council for Higher Education,
Wellington College for Lady Campus,
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st and 2nd respondents to grant appointment to the petitioner in the post of Computer Instructors Grade - I (Post Graduate Cadre) - 2018-2019.

For Petitioner: Mr.Niranjana S.Kumar

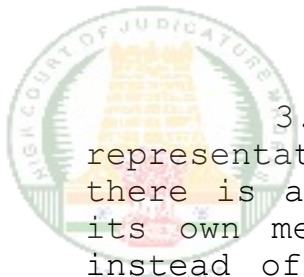
For Respondents: Mr.VR.Shanmuganathan for R1
Special Government Pleader

Mr.A.Thiyagarajan, for R2 and R3
Government Advocate

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.Since the petitioner's request to the respondents to grant appointment to the petitioner in the post of Computer Instructors Grade - I (Post Graduate Cadre) - 2018-2019 was not considered, the Writ Petition has been filed. According to the petitioner, she has made a representation in this regard on 31.12.2020, 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 third respondent herein to consider the petitioner's representation dated 31.12.2020, 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 respondent to consider the same on its own merits.

5. Accordingly, there shall be a direction to the third respondent to consider the petitioner's representation dated 31.12.2020, on its own merits and pass appropriate orders in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*



To

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Tamil Nadu State Council for Higher Education,
Wellington College for Lady Campus,
Chennai.

+1 CC to M/s.NIRANJAN S.KUMAR, Advocate (SR-2127[F] dated
27/01/2021)

W.P. (MD) No.512 of 2021

25.01.2021

AC (CO)

NR (27/01/2021) 3P : 5C