



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.726 of 2021

Dr.R.M.Muthu

...Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Higher Education (K1) Department,
Secretariat, Chennai - 9.

2.The Registrar,
Madurai Kamaraj University,
Madurai - 625 021.

3.The Vice-Chancellor,
Vice-Chancellor's Office,
Madurai Kamaraj University,
Madurai - 625 021.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 2nd respondent to revise the scale of pay of the petitioner under CAS scheme taking into consideration of her past services in the Periyar University and disburse the same along with it's arrears and by considering the representation dated 21.12.2020 within the period that may be stipulated by this Court.

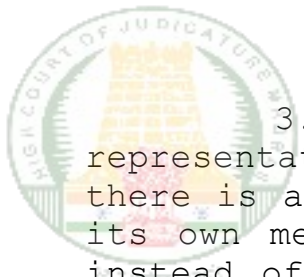
For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For Respondents : Mr.S.Dayalan
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 revise the scale of pay of the petitioner under CAS scheme taking into consideration of her past services in the Periyar University and disburse the same along with it's arrears, were not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 21.12.2020, 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 21.12.2020, within a stipulated time and thereby the ends of justice could be secured.

5. Accordingly, there shall be a direction to the third respondent to consider the petitioner's representation dated 21.12.2020, on its own merits and pass appropriate orders in accordance with law, within a period of six 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.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

TM

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

1. The Secretary to Government,
Higher Education (K1) Department,
Secretariat, Chennai - 9.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Registrar,
Madurai Kamaraj University,
Madurai - 625 021.

3.The Vice-Chancellor,
Madurai Kamaraj University,
Madurai - 625 021.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-1581[F] dated
21/01/2021)

+1 CC to SGP (SR-1626[F] dated 21/01/2021)

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KM (01.02.2021) 3P 6C