



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.1789 of 2021

and W.M.P. (MD).No.1524 of 2021

WEB COPY

Dr.S.Pandiammal

...Petitioner

Vs.

1.The Principal Secretary to Government,
Higher Education Department,
Government of Tamil Nadu,
Secretariat,
Chennai - 600 009.

2.The Director,
The Director of Collegiate Education,
EVK Sampath Maaligai,
DPI Campus,
Nunkampakkam,
Chennai - 600 006.

3.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus,
Nunkampakkam,
Chennai - 600 006.

... Respondents

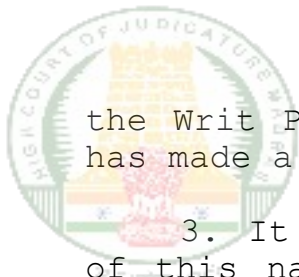
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to complete the certificate verification and interview pursuant to the 3rd respondent notification No.12/2019, dated 28.08.2019 and 04.10.2019 and complete the selection process as per law within the time limit that may be stipulated by this Court.

For Petitioner : Mr.Tha.Kanagamuthu
For Respondents : Mrs.J.Padmavathi Devi for R1 & R2
Special Government Pleader
Mr.V.R.Shanmuga Nathan for R3
Special Government Pleader

O R D E R

By consent of both parties, this writ petition is taken up for final hearing at the admission stage itself.

2.Since the petitioner's request to the respondents to complete the certificate verification and interview pursuant to the 3rd respondent notification No.12/2019, dated 28.08.2019 and 04.10.2019 and complete the selection process as per law, was not considered,



the Writ Petition has been filed. According to the petitioner, she has made a representation in this regard, 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 respondents herein to consider the petitioner's representation, 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 respondents to consider the petitioner's representation, on its own merits and pass appropriate orders in accordance with law, as expeditiously as possible.

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

Sd/-

Assistant Registrar (AS)

// 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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Chennai - 600 006.

+1 CC to M/s.SPL GP (SR-3356[F] dated 04/02/2021)

+1 CC to M/s.THA.KANAGAMUTHU, Advocate (SR-3209[F] dated 04/02/2021)

W.P. (MD) No.1789 of 2021
03.02.2021

ES (CO)
KB(18.02.2021) 3P 6C