



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.2671 of 2021

WEB COPY

Dr.H.Latha Maheswari

...Petitioner

Vs.

1.The Director of Collegiate Education,
College Road, Chennai - 600 006.

2.The Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli - 627 002.

3.The Manonmaniam Sundaranar University,
Rep. by its Registrar, Abishekapatti,
Tirunelveli District - 627 012.

4.The Secretary,
Sree Devi Kumari College for Women
Suchindram, Kuzhithurai,
Kanniyakumari District - 627 704.

... 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 consider and pass orders on the petitioner's representation to them dated 27.11.2020 seeking for approval to the period of her employment as Lecturer in Tamil in the 4th respondent college for the period 01.08.2001 to 04.07.2006 with all attendant benefits.

For Petitioner : Mr.K.Ragatheesh Kumar

For Respondents : Mr.S.Dayalan for R1 & R2
Government Advocate

Mr.K.Sthiya Singh for R4

O R D E R

Since no adverse order is going to be passed, notice to the third respondent is dispensed with. By consent of all other 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 seeking for approval to the period of her employment as Lecturer in Tamil in the 4th respondent college for the period 01.08.2001 to 04.07.2006 with all attendant benefits, was not considered, the Writ Petition has been filed. According to the petitioner, she has made a representation in this regard on 27.11.2020, 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 first respondent herein to consider the petitioner's representation dated 27.11.2020, 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 first respondent to consider the petitioner's representation dated 27.11.2020, 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-I)

// 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

- 1.The Director of Collegiate Education,
College Road, Chennai - 600 005.
- 2.The Joint Director of Collegiate Education,
Tirunelveli Region, Tirunelveli - 627 002.
- 3.The Registrar,
Manonmaniam Sundaranar University,
Abishekapatti,
Tirunelveli District - 627 012.

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-5043[F] dated 15/02/2021)

+1 CC to M/s.GP (SR-5159[F] dated 15/02/2021)

+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-5172[F] dated 15/02/2021)

W.P. (MD) No.2671 of 2021
12.02.2021

SVN(CO)
TR(22.02.2021) 3P 7C