



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.3876 of 2021

and W.M.P. (MD) .No.3115 of 2021

WEB COPY

V.Meenakshi Sundareshwari

...Petitioner

Vs.

1.The Chairman,

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

2.The Director,

Directorate of Collegiate Education,
Chennai 600 006

3.The Joint Director,

Directorate of Collegiate Education,
Madurai Zone, Madurai 625 002

4.The Principal,

Government Women Arts College,
Ramanathapuram,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents, particularly the fourth respondent to issue an experience certificate in the format as prescribed by the Teacher Recruitment Board for the period from August 2009 to December 2010 and December 2011 to December 2012 on which, the petitioner had worked as Temporary Lecturer under the Self Finance Scheme of Parent Teachers Association of the fourth respondent College to the petitioner within a time frame.

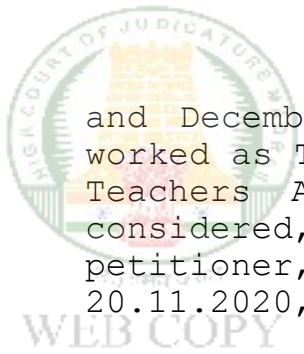
For Petitioner: Mr.M.Sarangan

For R-1 : Mr.VR.Shanmuganathan,
Standing Counsel

For RR 2 to 4 : Mrs.J.Padmavathi Devi,
Special Government Pleader

O R D E R

Since the petitioner's request to the respondents to issue an experience certificate in the format as prescribed by the Teacher Recruitment Board for the period from August 2009 to December 2010



and December 2011 to December 2012 on which, the petitioner had worked as Temporary Lecturer under the Self Finance Scheme of Parent Teachers Association of the fourth respondent College was not considered, the Writ Petition has been filed. According to the petitioner, she has made a representation in this regard on 20.11.2020, 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 fourth respondent herein to consider the petitioner's representation dated 20.11.2020, 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.

4. Accordingly, there shall be a direction to the fourth respondent to consider the petitioner's representation dated 20.11.2020, on its own merits and pass appropriate orders in accordance with law, within a period of one week from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected W.M.P.(MD).No.3115 of 2021 is closed.

Sd/-
Assistant Registrar(T & P)

/TRUE COPY/

/ /2021
Sub Assistant Registrar

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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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Ramanathapuram District.

Order made in
W.P. (MD) No.3876 of 2021

Dated:
15.03.2021

TR 15.03.2021/3P/5C