



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) Nos.3896, 3899, 3900, 3902,
3897 and 3898 of 2021

W.P (MD) Nos.3896 of 2021

Dr.V.R.Krishnaveni	...Petitioner in W.P.(MD)Nos.3896 of 2021
Dhanalakshmi.J.Dr	... Petitioner in WP(MD). 3899/ 2021
Rajkumar.M.Dr	... Petitioner in WP(MD). 3900/ 2021
Ragapriya.R	... Petitioner in WP(MD). 3902/ 2021
Suganyadevi.S.Dr	... Petitioner in WP(MD). 3897/ 2021
Sugirtha.R.Dr	... Petitioner in WP(MD). 3898/ 2021

Vs.

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

2.The Joint Director of Collegiate Education,
O/o. the Joint Director of Collegiate Education,
Palam Station Road, Sellor,
Opp to Ganapathy Silks,
Madurai-625 002.

3.The Principal,
Devanga Arts College,
Aruppukottai,
Virudhunagar District.

... Respondents(in all Wps)

PRAYER in W.P. (MD)Nos.3896 of 2021 Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to declare the probation of the petitioner in the post of Assistant Professor in Commerce at third respondent College on completion of two years from the date of her appointment and to provide all consequential benefits within the time period stipulated by this Court.

Prayer in WP(MD). 3899/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S6- To issue a Writ of Mandamus for a direction, directing the Respondent No.2 to declare the probation of the petitioner in the post of Assistant Professor in Tamil at 3rd Respondent College on completion of two years from the date of her appointment and to provide all consequential benefits within the time period stipulated by this Honble Court and

<https://hccases.com/govt/ncs/ncs/> or other orders as this Honble Court may deem under



the circumstances of the case and thus render justice.

Prayer in WP(MD) . 3900/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S6- To issue a Writ of Mandamus for a direction, directing the Respondent No.2 to declare the probation of the petitioner in the post of Assistant Professor in Mathematics at 3rd Respondent College on completion of two years from the date of her appointment and to provide all consequential benefits within the time period stipulated by this Honble Court and pass any further or other orders as this Honble Court may deem under the circumstances of the case and thus render justice.

Prayer in WP(MD) . 3902/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S6- To issue a Writ of Mandamus for a direction, directing the Respondent No.2 to declare the probation of the petitioner in the post of Assistant Professor in English at 3rd Respondent College on completion of two years from the date of her appointment and to provide all consequential benefits within the time period stipulated by this Honble Court and pass any further or other orders as this Honble Court may deem under the circumstances of the case and thus render justice.

Prayer in WP(MD) . 3897/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S6- To issue a Writ of Mandamus for a direction, directing the Respondent No.2 to declare the probation of the petitioner in the post of Assistant Professor in Tamil at 3rd Respondent College on completion of two years from the date of her appointment and to provide all consequential benefits within the time period stipulated by this Honble Court and pass any further or other orders as this Honble Court may deem under the circumstances of the case and thus render justice.

Prayer in WP(MD) . 3898/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus for a direction, directing the Respondent No.2 to declare the probation of the petitioner in the post of Assistant Professor in Tamil at 3rd Respondent College on completion of two years from the date of her appointment and to provide all consequential benefits within the time period stipulated by this Honble Court and pass any further or other orders as this Honble Court may deem under the circumstances of the case and thus render justice.

For Petitioner :Mr.T.Lajapathi Roy in all
petitioners

For R-1 and R-2 : Mrs.V.P.M.Vaishnavi
(in all Wps) Government Advocate



COMMON ORDER

By consent of both parties, these writ petitions are taken up for final disposal at the stage of admission itself. Since no adverse order is going to be passed against the third respondent, notice to him is dispensed with.

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2. Since the petitioners' request to the respondents to declare their probation in the post of Assistant Professor in Commerce, Tamil, Mathematics and English at third respondent College on completion of two years from the date of their appointment and to provide all consequential benefits was not considered, these Writ Petitions have been filed. According to the petitioners, they have made a representation in this regard on 17.02.2021, 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 second respondent herein to consider the petitioners' representation dated 17.02.2021, 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 second respondent to consider the petitioners' representation dated 17.02.2021, on its own merits and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, these Writ Petitions stand disposed of. No costs.

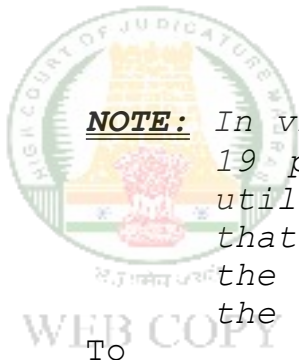
Sd/-

Assistant Registrar ()

// 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,
DPI Campus,
College Road,
Chennai-600 006.

2.The Joint Director of Collegiate Education,
O/o. the Joint Director of Collegiate Education,
Opp to Ganapathy Silks,
Madurai-625 002.

+1 CC to M/s.SPL GP (SR-8443[F] , SR-8688[F]dated 03/03/2021)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-8558[F],
8553,8554,8555,8556,8557 dated 03/03/2021)

W.P. (MD) No.3896 of 2021
01.03.2021

VR (CO)

KB(15.03.2021) 4P 10C