



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P (MD)No.5913 of 2021

REV.Dr.Arul Arasu Israel

...Petitioner

Vs.

- 1.The Director,
The Directorate of Collegiate Education,
Chennai - 600 008.
- 2.The Joint Director of Collegiate Education,
Madurai Region,
Palam Station,
Madurai - 625 002.
- 3.The Governing Council of
the American College,
represented by the Bishop- President,
The American College,
Thallakulam,
Madurai - 625 002.
- 4.The Governing Council of
the American College,
represented by its Principal and Secretary,
The American College,
Thallakulam,
Madurai - 625 002.

5.Dr.M.Davamani Christoher

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 4th respondent to disburse the petitioner's full salary for the suspension period beyond 60 days and subsistence allowances during the petitioner's suspension period with interest.

For Petitioner	: Mr.R.M.Suresh
For Respondent	: Mr.V.P.M.Vaishnavi,
Nos.1 & 2	Government Advocate
For Respondent	: Mr.Mehaboob Athiff
Nos.3 to 5	

O R D E R

The representation dated 08.03.2021 submitted by the petitioner seeking disbursement of full salary and subsistence allowance has not been considered by the respondents and therefore, the petitioner



has filed the present writ petition.

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 representation of the petitioner dated 08.03.2021 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.

4. Accordingly, there shall be a direction to the fourth respondent to consider the representation of the petitioner dated 08.03.2021 on its own merits and pass appropriate orders in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dsk

To

1. The Director,
The Directorate of Collegiate Education,
Chennai - 600 008.

2. The Joint Director of Collegiate Education,
Madurai Region,
Palam Station,
Madurai - 625 002.

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



3.The Bishop- President,
Governing Council of
the American College,
The American College,
Thallakulam,
Madurai - 625 002.

4.The Principal and Secretary,
Governing Council of
the American College,
The American College,
Thallakulam,
Madurai - 625 002.

+1 CC to M/s.SPL GP (SR-12554[F] dated 19/03/2021)

W.P (MD)No.5913 of 2021
17.03.2021

SSS(CO)
KB(09.04.2021) 3P 6C