



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. [MD]No.6487 of 2021

and

W.M.P. [MD]Nos.5060 & 5063 of 2021

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P.Anandharaj

... Petitioner

Vs.

The Registrar,
Manonmaniam Sundaranar University,
Abishekpatti,
Tirunelveli District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to regularize and absorb the petitioner to the post of Junior Assistant from the date of his appointment in the respondent University and consequently direct the respondents to provide all the service benefits to the petitioner by considering the representation dated 02.03.2021.

For Petitioner : Mr.J.Thomas Rajadurai
For Respondent : Mr.Mahaboob Athiff
for M/s.Ajmal Associates

O R D E R

By consent of both 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 to regularize and absorb him to the post of Junior Assistant from the date of his appointment in the respondent University and to provide all the service benefits was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 02.03.2021, 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 first respondent herein to consider the



petitioner's representation dated 02.03.2021, 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.

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5. Accordingly, there shall be a direction to the first respondent to consider the petitioner's representation dated 02.03.2021, on its own merits and pass appropriate orders in accordance with law, within a period of three [3] months from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

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

The Registrar,
Manonmaniam Sundaranar University,
Abishekpatti,
Tirunelveli District.

W.P.[MD]No.6487 of 2021
23.03.2021

NS (CO)
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