



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.13541 of 2020

and

W.M.P (MD) No.11283 of 2020

WEB COPY

D.Arnold Infant

...Petitioner

Vs.

The Registrar,
Tamil University,
Thanjavur,
Thanjavur-613010.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to regularize the petitioner's service in the post of Radio Announcer/Technical Assistant in the sanctioned cadre at the respondent office and place the petitioner in time scale of pay along with all monitory and other attendant benefits with effect from 08.10.2015 within a stipulated time that may be fixed by this Court.

For Petitioner

: Mr.R.Karunanidhi

For Respondent

: Mr.K.Ragatheeshkumar
for M/s. Issac Chamber

O R D E R

Since the petitioner's request to the respondent to regularize his service in the post of Radio Announcer/Technical Assistant in the sanctioned cadre and place him in time scale of pay along with all monitory and other attendant benefits with effect from 08.10.2015 was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 23.03.2020, 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 respondent herein to consider the petitioner's representation dated 23.03.2020, 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 respondent to consider the petitioner's representation dated 23.03.2020, on its own merits and pass appropriate orders in accordance with law, within a period of two 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

cp

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.*

+1 CC to Mr.R.KARUNANIDHI, Advocate (SR-4081[F] dated 09/02/2021)

+1 CC to Mr.K.RAGATHEESH KUMAR, Advocate (SR-4198[F] dated 10/02/2021)

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