



WEB COPY

WP(MD) No.12999 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.12999 of 2020

and

W.M.P(MD) Nos.10945 and 10947 of 2020

T.Sivaraman

...Petitioner

Vs.

1.The Principal Secretary,
Higher Education Department,
Government of TamilNadu,
Secretariat, Chennai-600 009.

2.The Director,
Director of Collegiate Education,
EVK Sampath Building,
College Road, Chennai-600 006.

3.The Regional Joint Director,
Govt.Multi Department Office Complex,
Kajamalai, Trichy-620 020.

4.The Registrar,
Bharathidasan University,
Tiruchirappalli-620 024.

5.The Principal,
Government Arts & Science College,
Aranthangi, Pudukkottai District-614 618.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to forbear the fifth respondent from disturbing the petitioner from the continuous service as the guest Lecturer in the Government Arts and Science College, Aranthangi, Pudukkottai District.

For Petitioner : Mr.V.S.Kumarguru

For R-1 to R-3
and R-5 : Ms.V.P.M.Vaishnavi,
Government Advocate

For R-4 : Mr.V.R.Shanmuganathan
Standing Counsel



O R D E R

Since the petitioner's request to the respondents not to disturb him from the continues service as the guest Lecturer was not considered, the Writ Petition has been filed. According to the petitioner, he has made a representation in this regard on 14.09.2020, 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 second respondent herein to consider the petitioner's representation dated 14.09.2020, 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 second respondent to consider the petitioner's representation dated 14.09.2020, 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.

5. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

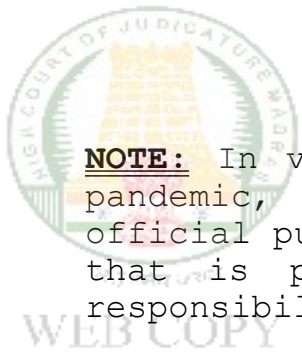
Assistant Registrar (AD-II)

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/ /2021

Sub Assistant Registrar(CS)

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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

- 1.The Principal Secretary,
Higher Education Department,
Government of TamilNadu,
Secretariat, Chennai-600 009.
- 2.The Director,
Director of Collegiate Education,
EVK Sampath Buildings,
College Road, Chennai-600 006.
- 3.The Regional Joint Director,
Govt.Multi Department Office Complex,
Kajamalai, Trichy-620 020.
- 4.The Principal,
Government Arts & Science College,
Aranthangi, Pudukkottai District-614 618.

+1 CC to M/s.V.S.KUMRAGURU, Advocate (SR-5702[F] dated 17/02/2021)

W.P. (MD) No.12999 of 2020
17.02.2021

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