



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.13544 of 2022

N.Shermila ... Petitioner
Vs.

- 1.The Director of Collegiate Education,
College Road,
Chennai - 600 006.
- 2.The Regional Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli.
- 3.The Secretary-Cum-Correspondent,
Scott Christian College,
Nagercoil. ... Respondents

PRAYER: This Writ Petition has been filed under Article 226 of the Constitution of India, to issue Writ of Mandamus to direct the respondents 1 & 2 to approve the petitioner's appointment as sweeper in the third respondent College in the sanctioned vacancy caused by the promotion of Mr.N.Thangavel with effect from 15.11.2010 to 13.10.2016 in the light of the approval given by the second respondent to the similarly placed persons like R.Sorubalatha & 6 others vide proceedings Pa.Mu.No.4874/A2/2013, dated 28.08.2019 in W.P.(MD).No.1234 of 2014 dated 24.02.2015 in W.A.(MD).No.931 of 2018, dated 12.07.2018 and in Special Leave Petition SLP.No.323 of 2019, dated 18.01.2019 with monetary and all other attendant and service benefits based on the representation of the petitioner dated 20.01.2022.

For Petitioner: M/s.Selvi George
For R1 & R2 : Mr.T.Chezhiyan
Additional Government Pleader

For R3 : Mr.Martin Jaya Kumar

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2.The petitioner herein had given a representation to the respondents on 20.01.2022 seeking for appointment as Sweeper



in the third respondent College. Since the said representation was not considered, the present writ petition has been filed.

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, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 20.01.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views 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. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(V.O)

//True Copy//

Sub Assistant Registrar

Dua/Pns

To,

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

2. The Regional Joint Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli.

W.P.No.13544 of 2022

PL(CO)
A.SK(16/06/2022)