



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.06.2022**

CORAM:

THE HONOURABLE **MR. JUSTICE M. S. RAMESH**

W.P. (MD) No. 10931 of 2022

R.V.Rajavel

... Petitioner

/vs./

1.The Director,
Directorate of Technical Education,
53, Sardhar Patel Road,
Guindy,
Chennai - 625025.

2.The Chairman,
Virudhunagar S.Vellaichamy Nadar Polytechnic College,
Virudhunagar-626001.

3.The Principal,
Virudhunagar S.Vellaichamy Nadar Polytechnic College,
Virudhunagar - 626 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the Respondent No.1 to grant prior concurrence to the Respondent College to consider the representation of the petitioner dated 29.04.2022.

For Petitioner	:	Mr.C.M.Mari Chelliah Prabhu
For R1	:	Mr.S.Shaji Bino
		Special Government Pleader

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 29.04.2022 seeking for grant of prior concurrence to the 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 29.04.2022 on its own merits and pass appropriate orders in accordance with law, within a period of twelve (12) weeks 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 (CS I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Director,
Directorate of Technical Education,
53, Sardhar Patel Road,
Guindy, Chennai - 625025.

+1 CC to M/s.C.M.MARI CHELLIAH PRABHU, Advocate (SR-24565[F] dated 08/06/2022)

+1 CC to M/s.SPL.GP (SR-24878[F] dated 09/06/2022)

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MGJ(16.06.2022) 2P 4C