



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.06.2022

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE M. S. RAMESH

W.P. (MD) No.12414 of 2022
and W.M.P. (MD).No.8811 of 2022

Women's Christian College,
Rep. by its Secretary,
Dr.Asir Packia Singh,
S/o Johnrose Vedasingh,
No.8, Perinba Street,
Nagercoil,
Kanniyakumari District - 629 001.

... Petitioner

Vs.

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

2.The Joint Director of Collegiate Education,
Palavamkottai,
Tirunelveli District - 627 002.

3.Manonmaniam Sundaranar University,
rep. by its Registrar,
Abishekapatti,
Tirunelveli District - 627 012.

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the 3rd respondent / Manonmaniam Sundaranar University to grant Qualification Approval forthwith to the appointment of 3 Assistant Professors (Name List Annexed) in the petitioners' college in their respective posts w.e.f. their date of appointment viz. 01.10.2020.

For Petitioner : Ms.A.Amala
For Respondents : Mr.S.Shaji Bino for R1 and R2
Special Government Pleader
Mr.Mohammed Suhail for
M/s.Ajmal Associates for R3
Standing Counsel



O R D E R

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

2. The petitioner's College herein had sent a proposal to the third respondent on 16.04.2021 seeking to grant Qualification Approval forthwith to the appointment of 3 Assistant Professors (Name List Annexed) in the petitioners' college in their respective posts w.e.f. their date of appointment viz. 01.10.2020. Since the said proposal was not considered, the present writ petition has been filed.

3. It is needless to point out that whenever a proposal/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 third respondent herein to consider the petitioner's proposal, dated 16.04.2021 in the light of the order passed in the W.P.(MD).No.1691 of 2020, dated 23.03.2021 and pass appropriate orders in accordance with law, within a period of eight (8) 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. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

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To

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

2.The Joint Director of Collegiate Education,
Palavamkottai,
Tirunelveli District - 627 002.

3.The Registrar,
Manonmaniam Sundaranar University,
Abishekapatti,
Tirunelveli District - 627 012.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-27019[F] dated
21/06/2022)

+1 CC to M/s.A. AMALA, Advocate (SR-27021[F] dated 21/06/2022)

+1 CC to M/s.SPL.GP (SR-27439[F] dated 22/06/2022)

W.P. (MD) No.12414 of 2022
20.06.2022

NSN (CO)
KB(28.06.2022) 3P 7C