



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P. (MD) .No.13260 of 2022

M.Murugananthan

...Petitioners

Vs

1.The Vice Chancellor,
Manonmaniam Sundaranar University,
Abishekapatti,
Tirunelveli - 627 012.

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

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 06.05.2022 and to grant yearly increments from the year 2011 and to grant the selection grade post to the petitioner along with all the consequential monetary benefits from the date on completion of 10 years in the Junior Assistant post within the time stipulated by this Court.

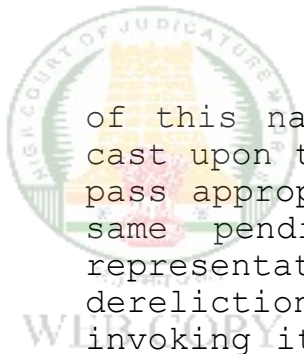
For Petitioner : Mr.J.David Ganesan

ORDER

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

2. The petitioner herein had given a representations to the first respondent on 15.04.2021 and to the second respondent on 09.07.2021 and 06.05.2022 seeking for grant of yearly increments from the year 2011 and to grant the selection grade post to the petitioner along with all the consequential monetary benefits from the date on completion of ten years in the post of Junior Assistant. 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
<https://hcservices.ecourts.gov.in/hcservices/>



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 15.04.2021 on its own merits 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.

Sd/-

Assistant Registrar (A.D.II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

Nsr/TM

To

1.The Vice Chancellor,
Manonmaniam Sundaranar University,
Abishekapatti,
Tirunelveli - 627 012.

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

+1 CC to M/s.J. DAVID GANESAN, Advocate (SR-28359[F] dated
27/06/2022)

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RD(06.07.2022) 2P 4C