



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2022

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WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.13374 of 2022

Dr.S.Alamelumangai

... Petitioner

Vs.

1.The Registrar,
Manonmaniam Sundaranar University, Abishegapatti,
Tirunelveli - 627 012.

2.The Director,
Centre for Study of Social Exclusion and Inclusive Policy,
Manonmaniam Sundaranar University,
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 revise the salary of the petitioner with effect from 01.01.2016 and to grant the facility of earned leave and Medical leave to the petitioner on considering the petitioner's representation, dated 02.08.2021.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : No Appearance

O R D E R

The petitioner herein had given a representation to the respondents on 02.08.2021 seeking to revise the salary of the petitioner with effect from 01.01.2016 and to grant the facility of earned leave and Medical leave to the petitioner. Since the said representation was not considered, the present writ petition has been filed.

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, there shall be a direction to the respondents herein to consider the petitioner's representation dated 02.08.2021 on its own merits and pass appropriate orders in accordance with law, within a period of four (4) 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.

4. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (crl Side)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

TM

To:

1.The Registrar,
Manonmaniam Sundaranar University, Abishegapatti,
Tirunelveli - 627 012.

2.The Director,
Centre for Study of Social Exclusion and Inclusive Policy,
Manonmaniam Sundaranar University,
Tirunelveli - 627 012.

+1 CC to M/s.G. PRABHU RAJADURAI, Advocate (SR-28422[F] dated 28/06/2022)

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RD(06.07.2022) 2P 4C