



WP(MD)No.14106 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **05.07.2022**

CORAM:

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

W.P.(MD)No.14106 of 2022

and

W.M.P(MD)No.10069 of 2022

Women's Christian College,
Represented by its Secretary,
Dr.Asir Packia Singh,
S/o.Johnrose Vedasingh,
No.8, Perinba Street,
Nagercoil,
Kanyakumari 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,
Represented by its Registrar,
Abishekapatti,
Tirunelveli District-627 012.

... Respondents



WP(MD)No.14106 of 2022

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent, Manonmaniam Sundaranar University, to grant qualification approval forthwith to the appointment of 7 Assistant Professors (Name List Annexed) in the petitioner's college in their respective posts with effect from their date of appointment viz., 09.10.2019 and 25.01.2020.

For Petitioner : Mr.A.Amala

For R-1 & R-2 : 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 proposal and letter to the third respondent on 09.09.2020 and 23.03.2021 seeking for granting qualification approval forthwith to the appointment of 7 Assistant Professors (Name List Annexed) in the petitioner's college in their respective posts with effect from their date of appointment viz., 09.10.2019 and 25.01.2020. Since the said proposal was not considered, the present writ petition has been filed.



WP(MD)No.14106 of 2022

WEB COPY

3. It is needless to point out that whenever a proposal 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 proposal 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 09.09.2020 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.



WP(MD)No.14106 of 2022

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

Consequently, connected Miscellaneous Petition is closed.

05.07.2022

Index : Yes / No
Internet : Yes / No
btr/TM

To

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- 3.The Registrar,
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WP(MD)No.14106 of 2022

M.S.RAMESH, J.

btr/TM

Order made in
W.P.(MD)No.14106 of 2022

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