



WEB COPY

WP(MD)No.



22

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2022

CORAM:

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

W.P. (MD) No. 14171 of 2022

and

W.M.P (MD) Nos. 10126 & 10127 of 2022

S.Paul Mary Deborrah

... Petitioner

/vs./

1.The Vice-Chancellor,
Mother Teresa Women's University,
Kodaikanal,
Dindigul District.

2.The Registrar,
Mother Teresa Women's University,
Kodaikanal,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, the impugned order Letter No.01/WU/Rr/ESTT/2022, dated 11.02.2022 issued by the second respondent and quash the same and consequently to directing the second respondent to issue payment of due salary and NO DUES CERTIFICATE to the petitioner.

For Petitioner : Mr.M.Sridharan

(*) For Respondents : Mr.E.V.N.Siva

ORDER

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

2. Though the prayer sought for in this writ petition is larger in nature, the learned Counsel for the petitioner confines the prayer to consider the petitioner's representation dated 28.04.2022. The learned Standing Counsel appearing for the respondents has also no serious objection for the same.

3. The petitioner herein had given a representation to the first respondent on 28.04.2022 seeking to issue payment of due salary and No Dues Certificate to the petitioner. Since the said representation was not considered, the present writ petition has been filed.

<https://www.mhc.tn.gov.in/judis>



4. 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.

5. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 28.04.2022 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.

6. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AE)

(*)Corrected as per the order of this Court dated 03/08/2022 made in WP(MD)No.14171 of 2022

Sd/-

Assistant Registrar (AE)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

btr/TM

To

(*) To be substituted to the order already despatched on 21/07/2022

1.The Vice-Chancellor,
Mother Teresa Women's University,
Kodaikanal,
Dindigul District.



WP(MD)No.



22

2.The Registrar,
Mother Teresa Women's University,
Kodaikanal,
Dindigul District.

+1. CC to M/S.E.V.N.SIVA Advocate SR.No.35985

W.P.(MD)No.14171 of 2022

05.07.2022

MGJ(20.07.2022) 3P 3C

RD (24/08/2022) 3P 4C