



WP(MD)No.15559 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.07.2022**

CORAM:

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

W.P.(MD)No.15559 of 2022

The American College,
Represented by its Secretary,
Dr.M.Davamani Christoher,
S/o.Mr.Y.Maduram,
Moring Side, American College Campus,
Madurai-625 002.

... Petitioner

/vs./

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

2.The Regional Joint Director of Collegiate Education,
Madurai Region,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first and second respondents to Revival / Approval of 2 Laboratory Assistant Posts in the petitioner college in the light of the G.O.Ms.No.796, dated 25.07.1985, based on the representations given by petitioner college, dated 07.01.2000 and 09.11.2020 within time to be stipulated by this Court.



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For Petitioner : Mr.E.Martin Jayakumar
For Respondents : Mr.A.Kannan
Additional Government Pleader

ORDER

By consent of both the parties, this Writ Petition is taken up for final disposal.

2. The petitioner herein had given representations to the respondents on 07.01.2000 and 09.11.2020 seeking Revival / Approval of 2 Laboratory Assistant Posts in the petitioner college in the light of the G.O.Ms.No.796, dated 25.07.1985. Since the said representations were not considered, the present Writ Petition has been filed.

3. 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



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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 representations dated 07.01.2000 and 09.11.2020 on its own merits and pass appropriate orders in accordance with law, within a period of six (6) 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. There shall be no order as to costs.

19.07.2022

Index : Yes / No

Internet : Yes / No

btr



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M.S.RAMESH, J.

btr

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