



W.P.(MD).No.17306 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2022

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD).No.17306 of 2022

M.Cuba

... Petitioner

Vs.

1.The Joint Secretary,
University Grants Commission,
South Eastern Regional Office,
Post Box No.152,
APS Finance Corporation Building (4th Floor),
5-9-194, Chirag Ali Lane,
Hyderabad – 500 001.

2.The Director of College Education,
College Road,
Creams Road,
Chennai – 600 006.

3.The Joint Director of College Education,
Palam road,
Madurai – 625 002.

4.The Principal,
NMSS Vellaichamy Nadar College,
Nagamalaipudukottai,
Madurai – 625 019.

...Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the first respondent to give sanction and release of the petitioner's arrears salary amount of Rs.4,32,000/- with interest, service rendered from 16.06.2016 to 14.07.2017 under the fourth respondent's college.

For Petitioner : Mr.T.Murugan
For R-2 and R-3 : Mr.A.Kannan,
Additional Government Pleader.
For R-4 : Mr.N.Dilip Kumar,
Standing Counsel.

ORDER

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

2. The petitioner herein had given a representation to the respondents on 21.04.2022 seeking for payment of arrears of salary. 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 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



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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 21.04.2022, 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.

5. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

03.08.2022

Index : Yes / No
Internet : Yes/ No
Lm/btr



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To

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M.S.RAMESH, J.

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