



W.P.(MD) No.18579 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2022

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

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Arumugam Pillai Seethai Ammal College,
rep. by its Secretary,
Mr.N.Arumugarajan, S/o N.AR.Nagarajan,
Arumugam Pillai Street, Tiruppattur – 630 211,
Sivagangai District.

... Petitioner

Vs.

1.The Director of Collegiate Education,
Saidapet, Chennai – 600 015.

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

... Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the 1st respondent to consider the representation/proposal dated 10.03.2022 of the petitioner college seeking sanction of two revival posts in Tamil Department and three revival posts in English department in the light of the approval given by the 1st respondent to the similar college for 2 revival posts in the department of Tamil & English



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vide proceedings Na.Ka.No.38804/G4/2018, dated 23.11.2018, within a time to be stipulated by this Court.

For Petitioner : Mr.E.Martin Jayakumar

For Respondents : 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 sent a representation/proposal to the respondents on 10.03.2022 seeking sanction of two revival posts in Tamil Department and three revival posts in English department in the light of the approval given by the 1st respondent to the similar college for 2 revival posts in the department of Tamil & English vide proceedings Na.Ka.No. 38804/G4/2018, dated 23.11.2018 sanction of two revival posts in Tamil Department and three revival posts in English department in the light of the approval given by the 1st respondent to the similar college for 2 revival posts in the department of Tamil & English vide proceedings Na.Ka.No. 38804/G4/2018, dated 23.11.2018. Since the said representation/proposal was



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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 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/proposal, dated 10.03.2022 on its own merits and pass appropriate orders in accordance with law, within a period of three **(3)** months 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.



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

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Index : Yes / No
Speaking Order/ Non Speaking Order
TM

To

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M.S.RAMESH,J.

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