



WP(MD)No.20450 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.20450 of 2022

S.Avudaithai

... Petitioner

/vs./

- 1.The Registrar,
The Tamil Nadu Agricultural University,
Coimbatore-641 003.
- 2.The Vice-Chancellor,
The Tamil Nadu Agricultural University,
Coimbatore 641 003.
- 3.The Dean,
Anbil Dharmalingam Agricultural College &
Research Institute,
Navalur Kuttapattu, Tiruchirappalli-9.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, seeking direction against the respondents to pass order of retrospective promotion and consequential pay fixation for the petitioner in the post of Associate Professor with effect from 20.12.2006 with all other attended benefits considering her representation dated 27.07.2022 made through third respondent within a time stipulated by this Court.



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WEB COPY For Petitioner : Mr.I.Suthakaran

ORDER

The petitioner herein had given a representation to the respondents on 27.07.2022 seeking to effect the retrospective promotion and consequential pay fixation in the post of Associate Professor w.e.f., 2012.2006 with all other permissible benefits. 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 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 and third respondents herein to consider the petitioner's representation dated



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27.07.2022 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.

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

01.09.2022

Index : Yes / No

Internet : Yes / No

Rmk

TO:

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M.S.RAMESH, J.

Rmk

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Dated:
01.09.2022