



WEB COPY



W.P.No.4556 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.4556 of 2023

Dr.A.Manimekalan

... Petitioner

Vs.

1. The Registrar,
Bharathiar University,
Coimbatore – 641 046.

2. Mrs.D.Prabha

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to dispose of the petitioner's representation dated 01.09.2022 within a time frame to be fixed by this Court.

For Petitioner : Mr.N.Kavitha Rameshwar

For Respondents : Mr.C.Vigneswaran [R1]

ORDER

Today the matter is listed under the caption 'for being spoken to'.



W.P.No.4556 of 2023

WEB COPY

2. Heard the learned counsel for the petitioner and the learned senior counsel appearing for the first respondent.

3. The petitioner herein had given a representation to the first respondent herein on 01.09.2022, seeking for withdrawal of the re-designation and for reinstatement to her original post of Technical Officer with revised pay fixation. Since the said representation is not considered in time, the present Writ Petition has been filed.

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 respondent 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 the Constitution of India and direct them to consider the same within a stipulated time.



W.P.No.4556 of 2023

5. In the light of the above observations, there shall be a direction to the first respondent herein, to consider the petitioner's representation dated 01.09.2022, 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 first respondent to consider the same on its own merits.

6. With the above direction, the Writ Petition stands disposed of.

No costs.

02.03.2023

Speaking order/Non-speaking order

Index: Yes/No

Sni

Note: Registry is directed to upload a revised order copy.

To

The Registrar,
Bharathiar University,
Coimbatore – 641 046.



WEB COPY



W.P.No.4556 of 2023

M.S.RAMESH,J.

Sni

W.P.No.4556 of 2023

02.03.2023