



W.P.No.6851 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.6851 of 2023

Dr.C. Loganathan

... Petitioner

Vs.

1.The Director of Legal Studies,
Directorate of Legal Studies,
No.198, Pursaivakkam High Road,
Chennai – 600 010.

2.The Chairman,
Teachers Recruitment Board,
Chennai – 600 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 29.08.2022 and to call him for the interview for the post of Assistant Professor for the law subject of Administrative law on his application ID bearing No.11811426 and Administrative Law Examination Register No.18LC12036 within the time stipulated by this Court.

For Petitioner : Mr.R. Ragavendran



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For Respondents : Mr.E. Sundaram,
Government Advocate [R1]
Mr.C. Kathiresan [R2]

ORDER

Mr.E. Sundaram, learned Government Advocate, takes notice for the first respondent and Mr.C. Kathiresan, learned counsel, takes notice for the second respondent. With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner herein had given representation on 29.08.2022 to the first respondent, seeking to call him for interview for the post of Assistant Professor for the law subject of Administrative law. Since the said representation was not considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever 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



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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.

4. In the light of the above observation, there shall be a direction to the second respondent herein, to consider the petitioner's representation dated 29.08.2022, on its own merits and pass appropriate orders in accordance with law, as expeditiously as possible. 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 ordered. No costs.

03.03.2023

Speaking/Non-speaking Order
Index: Yes/No

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M.S.RAMESH, J.

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To

1.The Director of Legal Studies,
Directorate of Legal Studies,
No.198, Pursaivakkam High Road,
Chennai – 600 010.

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