



WEB COPY



W.P.No.1583 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.1583 of 2022
and WMP.No.1712 of 2022

1.J.Jayapriya

2.J.Jayarajalakshmi

3.J.Sri Sudar Olirajan

4.P.Jaya Geetha

...Petitioners

-Vs-

1.The State of Tamil Nadu,
rep. by its Secretary,
Higher Education Department,
Secretariat,
Chennai.

2.The Commissioner of Technical Education,
Directorate of Technical Education,
Sardar Patel Road,
Guindy-600 025.

3.The Principal,
Government Polytechnic College,
Arakandanallur,
Villupuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to regularize the services of the petitioners from the date of their



W.P.No.1583 of 2022

inception into service with all consequential service as well as monetary benefits, within a time as fixed by this Court.

For Petitioners : Mr.Singaravelan, Sr. Counsel
for Mr.M.Muruganantham
For Respondent : Mr.P.Gurunathan, AGP
Nos.1 & 2

ORDER

The petitioners herein had given several representations and recently sent a representation on 20.12.2021 to the respondents requesting them to regularize their services from the date of their inception into service with all consequential service, as well as monetary benefits. Since the said representation was not considered, the present Writ Petition has been filed.

2. It is needless to point out that whenever representations 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.



W.P.No.1583 of 2022

WEB COPY

3. Since the representations given by the petitioners dates back to the year 2021, it would be appropriate that the petitioners be granted liberty to give a fresh representation, with a consequential direction to the respondents to consider the same, thereby securing the ends of justice.

4. In the light of the above observations, the petitioners are granted liberty to give a fresh representation to the respondents herein, along with a copy of the earlier representation dated 20.12.2021, ventilating their grievances. On receipt of such representations, the respondents shall consider it and pass appropriate orders in accordance with law, within a period of three months from the date of receipt of such representations. Till such a disposal of the petitioners' representations, the respondents shall not disturb the petitioners' services. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioners and it is open to the respondents to consider it on its own merits.



W.P.No.1583 of 2022

WEB COPY

5. With the above direction, this Writ Petition stands disposed of. Consequently, connected Miscellaneous Petition is closed. There shall be no order as to costs.

21.06.2023

Index:Yes/No

Order : Speaking / Non Speaking

Neutral Citation : Yes / No

DP



W.P.No.1583 of 2022

WEB COPY

To

- 1.The Secretary,
State of Tamil Nadu,
Higher Education Department,
Secretariat,
Chennai.
- 2.The Commissioner of Technical Education,
Directorate of Technical Education,
Sardar Patel Road,
Guindy-600 025.



WEB COPY



W.P.No.1583 of 2022

M.S.RAMESH,J.

DP

W.P.No.1583 of 2022
and
WMP.No.1712 of 2022

21.06.2023