



W.P.No.31810 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.31810 of 2023

Dr.M.Suresh

...Petitioner

Vs

1. The Directorate of Medical Education,
DME Office, 162, Periyar EVR High Road,
Kilpauk, Chennai – 600 010
2. The Vice Chancellor,
The Tamil Nadu Dr.M.G.R. Medical University,
No.69, Anna Salai,
Guindy, Chennai 600 032.
3. The Director,
Christian Medical College and Hospital,
Ida Scudder Road,
Vellore – 632 004

..Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to issue experience certificate to the petitioner for his actual period of employment



W.P.No.31810 of 2023

with the 3rd respondent within the time frame fixed by this Court upon considering the petitioner's representation dated 25.09.2023.

For Petitioner : Mrs.Swarnam J Rajagopalan

For Respondents : Mrs.V.Yamuna Devi
Special Government pleader
for R1
Mr.S.Ramasubramaniam
& Associates for R3

ORDER

Heard Mrs.V.Yamuna Devi, learned Special Government pleader for 1st respondent and Mr.S.Ramasubramaniam & Associates for 3rd respondent.

2. In view of the order to be passed in this writ petition, no prejudice would be caused to the 2nd respondent. Hence, notice to the 2nd respondent is dispensed with.

3. The petitioner herein had made a representation to the respondents on 25.09.2023, seeking for experience certificate for his actual period of employment with the 3rd respondent. Since the said



W.P.No.31810 of 2023

representation was not considered, 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 him 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 the India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the 3rd respondent herein to consider the petitioner's representation dated 25.09.2023, on its own merits and pass appropriate orders in accordance with law, within a period of four weeks 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 made by the petitioner and that it is open to the concerned respondent to consider the same on its



W.P.No.31810 of 2023

own merits.

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

No costs.

29.11.2023

Index:Yes/No

Speaking order/Non-speaking order

rka

To

1. The Directorate of Medical Education,
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2. The Vice Chancellor,
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M.S.RAMESH,J.



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W.P.No.31810 of 2023

rka

W.P.No.31810 of 2023

29.11.2023