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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.34342 of 2023

and

W.M.P.No.34243 of 2023

N.Mani

... Petitioner

Vs.

The Registrar,
Pondicherry University,
Dr.B.R.Ambedkar Administrative Building,
R.Venkataraman Nagar, Kalapet,
Puducherry, PIN – 605 014.

... Respondent

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to publish the result of the interview held on 21.11.2022 to the post of the Professor, Centre for the Study of Social Exclusion and Inclusive Policy as per the Notification / Advertisement in Advt No.PU/RC/2019/34, dated 05.08.2019, and thereby appoint the petitioner to the Post of the Professor to the Centre for the Study of Social Exclusion and Inclusive Policy as the petitioner is the most eligible candidate at the earliest and thereby give an effect to the reservation policy to enable the Centre to function with full-fledge manner, based on the petitioner's representation dated 07.11.2023.



For Petitioner : Ms.Dakshayani Reddy
For Mr.G.Arumuga Raja

For Respondent : Mr.V.Balamurugan
Standing Counsel

ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. The prayer sought for in this Writ Petition is for a direction to the the respondents to publish the result of the interview held on 21.11.2022 to the post of the Professor, Centre for the Study of Social Exclusion and Inclusive Policy as per the Notification / Advertisement in Advt No.PU/RC/2019/34, dated 05.08.2019, and thereby appoint the petitioner to the Post of the Professor to the Centre for the Study of Social Exclusion and Inclusive Policy as the petitioner is the most eligible candidate at the earliest and thereby give an effect to the reservation policy to enable the Centre to function with full-fledge manner, based on the petitioner's representation dated 07.11.2023. Since the said representation was not considered, the petitioners have preferred the present Writ Petition.



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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 them 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.

4. Mr.V.Balamurugan, learned Standing Counsel takes notice for the respondent and submitted that the respondent would consider the petitioner's representation within a period of one week.

5. In the light of the submission made by the learned Standing counsel for the respondent, there shall be a direction to the respondent herein to consider the petitioner's representation dated 07.11.2023, on its own merits and pass appropriate orders in accordance with law, within a period of one week. It is made clear that this Court has not expressed any of its views with



regard to the merits of the claim of the petitioners and that it is open to the concerned respondent to consider the same on its own merits.

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6. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

11.12.2023

Jeni
Index : Yes / No
Neutral Citation : Yes / No
Speaking order / Non-speaking order

To

The Registrar,
Pondicherry University,
Dr.B.R.Ambedkar Administrative Building,
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M.S.RAMESH, J.

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