



W.P.No.35765 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.35765 of 2023

Dr.P.Dhanasekaran

... Petitioner

Vs.

The Registrar,
University of Madras,
Chepauk, Chennai – 600 005.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondent to consider the representation dated 20.06.2023 submitted by the petitioner on the basis of the order passed by the Division Bench in R.A.No.218/2022 in W.A.No.2271 of 2018 within the time that may be stipulated by this Court.

For Petitioner : Mr.K.Rajasekaran

For Respondent : Mr.A.S.Vijayaragavan
Standing Counsel

ORDER

With the consent of both the parties, this Writ Petition is taken up



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for final disposal at the admission stage itself.

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2. The petitioner herein has given a representation dated 20.06.2023 to the respondent, requesting to appoint him as Assistant Librarian on par with Dr.V. Kalaiappan on the basis of the order passed by the Division Bench in R.A.No.218/2022 in W.A.No.2271 of 2018. Since the said representation has not been considered till date, the present Writ Petition has been filed.

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

4. In the light of the above observations, there shall be a direction



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to the respondent herein, to consider the petitioner's representation dated 20.06.2023, on its own merits and pass appropriate orders in accordance with law, within a period of eight (8) 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 respondent to consider the same on its own merits.

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

No costs.

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Index:Yes/No

Speaking order/Non-speaking order

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To

The Registrar,
University of Madras,
Chepauk, Chennai – 600 005.



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M.S.RAMESH,J.

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