



W.P.(MD).No.22980 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.22980 of 2023

M.Gurunathan

... Petitioner

Vs

1. The Secretary,
Department of Higher Education,
Ministry of Education, Union of India,
Dr. Rajendra Prasad Road,
Shastri Bhavan, New Delhi - 110 001.
2. The Secretary,
University Grants Commission,
Bahadur Shah Zafar Marg,
New Delhi - 110 002.
3. The Chairman,
Sponsoring Society of the Gandhigram Rural Institute
- Deemed to Be University,
Ministry of Education (Higher Education),
Dr. Rajendra Prasad Road,
Shastri Bhavan,
New Delhi - 110 001.
4. The Cabinet Secretary,
Cabinet Secretariat,
Union of India,
Rastrpathi Bhawan, New Delhi - 110 004.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider and pass orders well in accordance with law on the petitioner's representation, dated 28.08.2023 with regard to appointment of a permanent Vice Chancellor to the Gandhigram Rural Institute - Deemed to be University, Gandhigram, Dindigul District.

For Petitioner : Mr.M.Pounraj

For Respondents : Mr.K.Govindarajan (R1, R3, R4)
Deputy Solicitor General of India

Mr.Karthick (R2)

ORDER

The present writ petition has been filed seeking a direction to the respondents to consider the petitioner's representation, dated 28.08.2023 with regard to appointment of a permanent Vice Chancellor to the Gandhigram Rural Institute - Deemed to be University, Gandhigram, Dindigul District and pass orders in accordance with law.

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



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3.Heard, Mr.M.Pounraj, learned counsel appearing for the petitioner, Mr.K.Govindarajan, learned Deputy Solicitor General of India appearing for the respondents 1, 3 and 4 and Mr.Karthick, learned counsel appearing for the second respondent. Perused the materials on record.

4.The petitioner is the retired Section Officer of Gandhigram Rural Institute, Dindigul District. The Gandhigram Rural Institute has no permanent Vice Chancellor since May 2019. The petitioner made a representation, dated 28.08.2023 requiring the respondents to appoint permanent Vice Chancellor to the Gandhigram Rural Institute. The said representation was not considered. Hence, the writ petition came to be filed.

5. 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 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



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its extraordinary powers under Article 226 of Constitution of India and direct them to consider the same within a stipulated time.

6. In view of the limited relief sought for by the petitioner, this Court hereby direct the respondents to consider the representation of the petitioner, dated 28.08.2023 and pass appropriate orders in accordance with law, within a period of twelve (12) weeks, from the date of receipt of a copy of this order.

7. Accordingly, this writ petition stands disposed of. There shall be no order as to costs.

21.09.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM



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L.VICTORIA GOWRI, J.

PNM

ORDER IN
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