



WP.(MD).No.675 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 31.01.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.675 of 2024

S.Kalaiyaran

... Petitioner

Vs.

1.The Director of Collegiate Education,
O/o. The Director of Collegiate Education,
Chennai.

2.The Regional Joint Director (Collegiate),
O/o. The Regional Joint Director (Collegiate),
Trichy District.

3.The Principal,
H.H.The Rajah's College (Autonomous),
Pudukottai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent no.3 to reinstate the petitioner in service as a guest lecturer in the department of zoology with continuity of service and with back wages and other attendant benefits by considering his representation dated 22.07.2023 within the time stipulated by this Court

For Petitioner
For Respondents

: Mr.T.Thirumurugan
: Mr.M.Ramesh Arumugam
Government Advocate (Civil)



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ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus seeking to direct the third respondent to reinstate the petitioner in service as a guest lecturer in the department of zoology with continuity of service and with back wages and other attendant benefits, by considering his representation dated 22.07.2023.

2.Mr.T.Thirumurugan, learned counsel appearing for the petitioner, Mr.M.Ramesh Arumugam, learned Government Advocate appearing for the respondents and perused the entire materials available on record.

3.The petitioner was appointed as a Guest Lecturer in the third respondent College on 01.02.2017 and he received a salary of Rs.20,000/- per month. In the meanwhile, certain internal problems arose between the petitioner and one Muthukumar who also worked as a Guest Lecturer in B.B.A Department in the said College and one Thiruselvam who worked as a Principal in the said College. On consequence to that, on 17.12.2022, though the petitioner was allowed to sign the attendance, the duty was not



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allotted to him after 19.12.2022. Hence, on 29.12.2022, he submitted a representation to the first respondent to reinstate him as a Guest Lecturer. On 22.07.2022, he had sent a detailed representation to all the respondents seeking reinstatement in the third respondent College. However, the same was not considered. Hence, the Writ Petition came to be 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 the respondent 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 made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

5.In view of the same, without going into the merits, this Court hereby directs the third respondent College to consider the representation of the petitioner dated 22.07.2023 and pass appropriate orders in accordance with law within a period of



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twelve weeks from the date of receipt of copy of this order.

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6. Accordingly, this Writ Petition stands disposed of. There shall be no order as to costs.

31.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn

To

1. The Director of Collegiate Education,
O/o. The Director of Collegiate Education,
Chennai.
2. The Regional Joint Director (Collegiate),
O/o. The Regional Joint Director (Collegiate),
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3. The Principal,
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L.VICTORIA GOWRI, J.

Mrn

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