



WP.(MD).No.2273 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 22.02.2024

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.2273 of 2024

Y.Thenimalai

... Petitioner

Vs.

1.The Registrar,
Anna University,
Chennai – 600 025.

2.The Director,
Centre for Constituent Colleges,
Anna University,
Chennai - 600025.

3.The Dean,
University College of Engineering Dindigul,
Constituent College of Anna University,
Maangarai Pirivu,
Reddiyar Chattram,
Dindigul – 624622.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent no.1 to direct the respondent no.2 to dispose of the proposal seeking re-designate the petitioner from the post of the Lab Technician to the post of the Technical Assistant dated 29.03.2023.

For Petitioner	: Mr.C.Karthik
For Respondents	: Mr.John Rajadurai Standing Counsel



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ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, seeking to direct the respondents to pay the retirement benefits and other monetary benefits to the petitioner by considering the petitioner's representation dated 09.02.2024.

2.The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner made a representation on 26.08.2020 seeking to re-designate him from the post of Lab Technician to the post of Lab Assistant as per norms of the respondent University. The third respondent has forwarded a proposal seeking to re-designate the petitioner to the second respondent on 29.03.2023 and the same is pending without consideration. Hence, this Writ Petition came to be filed.

3.Heard the learned counsel appearing for the petitioner, the learned Standing Counsel appearing for the respondents and carefully perused the entire materials available on record.

4.It is needless to point out that whenever a representation of



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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 merits of the case, this Court hereby direct the first respondent to direct the second respondent to dispose of the proposal dated 29.03.2023 within a period of 12 weeks from the date of receipt of copy of this order.

6.In view of the above, this Writ Petition stands disposed of. There shall be no order as to costs.

22.02.2024

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

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L.VICTORIA GOWRI, J.

Mrn

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