



W.P.(MD)No.8171 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH
COURT**

DATED : 16.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.8171 of 2024

Dr.K.Ravikumar

.. Petitioner

Vs.

1. The Secretary to Government,
Tamil Development and Information Department,
Secretariat,
Chennai - 600 009.

2. The Tamil University,
Represented by Registrar (In-Charge),
Thanjavur,
Thanjavur District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to take appropriate action to consider petitioner's



W.P.(MD)No.8171 of 2024

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representation dated 28.09.2023 in the light of G.O.No.5 of Higher Education Department dated 11.01.2021, pertains to promotion of the petitioner from Associate Professor to Professor Grade Level 14 in the 2nd respondent University, based on the Ph.D Degree (Doctor of Philosophy in Scientific Tamil Research Topic - Computer Science Higher Secondary Level Word Terminology) from 02.07.2020 to 02.07.2023.

For Petitioner : Mr.K.Sivabalan
For R1 : Mr.S.Shanmugavel
Additional Government Pleader
For R2 : Mr.M.K.Sachin Rahul
for M/s.C.Arul Vadivel Associates

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, to direct the 2nd respondent to consider the petitioner's representation dated 28.09.2023 in the light of G.O.No.5 of Higher Education Department dated 11.01.2021, pertains to promotion of the



W.P.(MD)No.8171 of 2024

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petitioner from Associate Professor to Professor Grade Level 14 in the 2nd respondent University, based on the Ph.D Degree (Doctor of Philosophy in Scientific Tamil Research Topic - Computer Science Higher Secondary Level Word Terminology) from 02.07.2020 to 02.07.2023.

2. Heard Mr.K.Sivabalan, learned counsel appearing for the petitioner, Mr.S.Shanmugavel, learned Additional Government Pleader appearing for the first respondent and Mr.M.K.Sachin Rahul, learned counsel appearing for the second respondent.

3. The petitioner herein had given representation to the respondents on 28.09.2023 to promote the petitioner from Associate Professor to Professor in the 2nd respondent University, based on his Ph.D., Degree. Since the said representation was not considered, the present writ petition has been filed.



W.P.(MD)No.8171 of 2024

WEB COPY

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 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. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specified time frame.

5. In the light of the above observations, there shall be a direction to the second respondent herein to consider the petitioner's representation dated 28.09.2023 on its own merits and pass



W.P.(MD)No.8171 of 2024

appropriate orders in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. It is made clear that this Court has not gone into the merits of the claim of the petitioner and it is open to the second respondent to consider the same on its own merits.

6. With the above direction, the Writ Petition stands **disposed of**. No costs.

16.04.2024

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

PJL

To
1.The Secretary to Government,
Tamil Development and Information Department,
Secretariat,Chennai - 600 009.

2. The Tamil University,
Represented by Registrar (In-Charge),
Thanjavur,Thanjavur District.

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W.P.(MD)No.8171 of 2024

R.N.MANJULA, J.

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W.P.(MD)No.8171 of 2024

16.04.2024