



WP(MD). No.12256 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 12/06/2024

CORAM

The Hon`ble Ms.Justice R.N.MANJULA

WP(MD). Nos.12256 and 12257 of 2024

S.Daphne Rebekal

... Petitioner
in WP No.12256

S.Michlin Ruphina Maragatham
I

... Petitioner
in WP No.12257

Vs

1. The Director of Collegiate E,
Ducation, I.A.S.E. Campus,
577, Anna Salai,
Saidapet, Chennai - 600 015..

2. The Regional Joint Director,
Of Collegiate Education, Tirunelveli Region,
Tirunelveli..

3. The Correspondent - Secretary,
Sarah Tucker College,
Tirunelveli..

... Respondents

PRAYER in WP (MD) No.12256:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st and 2nd respondents herein to approve the



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petitioners appointment as Assistant Professor in Chemistry in the 3rd respondent college, in the sanctioned Retirement vacancy of Dr.V.Rama with effect from 28.04.2023 in the light of the approval given by the 1st respondent to the similarly placed persons vide proceedings Na.Ka.No. 22495/F2/2021 dated 30.04.2021 with monetary and all other attendant and service benefits based on the representation of the petitioner dated 24.11.2023 and 13.05.2024

PRAYER in WP (MD) No.12257:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st and 2nd respondents herein to approve the petitioners appointment as Assistant Professor in Chemistry in the 3rd respondent college, in the sanctioned death vacancy of Tmt.A.Mary Ratna Sylvia with effect from 28.04.2023 in the light of the approval given by the 1st respondent to the similarly placed persons vide proceedings Na.Ka.No. 22495/F2/2021 dated 30.04.2021 with monetary and all other attendant and service benefits based on the representation of the petitioner dated 24.11.2023 and 13.05.2024

For Petitioner : Mr.E. Martin Jaya Kumar,
For Respondents : Mr.T.Amjad Khan
Government Advocate for R1 & R2

COMMON ORDER

By consent the writ petition itself is taken up for final disposal.



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2. Heard Mr.E. Martin Jaya Kumar, learned counsel for the petitioners and the learned Government Advocate for the respondents.

3. This writ petition has been filed for a direction to the 1st and 2nd respondents herein to approve the petitioners' appointment as Assistant Professor in Chemistry in the 3rd respondent college, in the sanctioned vacancies in the light of the approval given by the 1st respondent to the similarly placed persons vide proceedings Na.Ka.No. 22495/F2/2021 dated 30.04.2021 with monetary and all other attendant and service benefits based on the representations of the petitioners dated 24.11.2023 and 13.05.2024

3. The petitioners herein had given representations to the respondents to approve the petitioners to the post of Assistant Professors (Chemistry) in the third respondent College. Since the said representations were not considered by the respondents so far, the present writ petition has been filed.



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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 respondents 1 to 3 herein to consider the petitioners' representations dated 24.11.2023 and 13.05.2024, on its own merits and pass appropriate orders in accordance with law, after making due enquiry, within a period of four 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



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of the case or the claim of the petitioner and it is open to the respondents
to consider the same on its own merits.

6. With the above direction, these writ petitions are disposed of.

No costs.

12.06.2024

TO

- 1.The Director of Collegiate Education, I.A.S.E. Campus,
577, Anna Salai,
Saidapet, Chennai - 600 015..
- 2.The Regional Joint Director,
Of Collegiate Education,
Tirunelveli Region,
Tirunelveli..
- 3.The Correspondent - Secretary,
Sarah Tucker College,
Tirunelveli..



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R.N.MANJULA,J

**ORDER
IN
WP(MD) No.12256 of 2024**

Date : 12/06/2024