



W.P.(MD)No.12155 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2024

CORAM:

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

W.P.(MD)No.12155 of 2024

M.Rabinson

... Petitioner

vs.

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 Secretary - cum - Correspondent,  
Sarah Tucker College,  
Tirunelveli - 627 002.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st and 2nd respondents to approve the petitioner's appointment as Typist in the 3rd respondent College in the Sanctioned Vacancy caused by the Promotion of Mrs.A.Helen Rani Vasanthakumari with effect from 18.12.2017 in the light of the approval given by the 1st respondent to similarly placed persons vide proceedings Na.Ka.No.31397/F4/2018 dated 06.11.2019 and



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Na.Ka.No.32468/F2/2020 dated 17.04.2021 with monetary and all other attendant and service benefits based on the representation given by the petitioner dated 02.02.2023 and 19.01.2024.

For Petitioner : Mr.E.Martin Jaya Kumar  
For Respondents : Mr.M.Siddharthan,  
Additional Government Pleader

### **ORDER**

Heard Mr.E.Martin Jaya Kumar, learned counsel appearing for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader appearing for the respondents.

2. The petitioner who is said to have been appointed as Typist by the third respondent in the sanctioned vacancy has filed this writ petition seeking to issue a Writ of Mandamus directing the respondents 1 and 2 to approve his appointment with effect from 18.12.2017 in the light of the approval given by the 1st respondent to similarly placed persons vide proceedings in Na.Ka.No.31397/F4/2018, dated 06.11.2019 and Na.Ka.No.32468/F2/2020, dated 17.04.2021 with monetary and all other



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attendant and service benefits based on the representations given by him on 02.02.2023 and 19.01.2024.

3. It is learnt that the proposal sent by the third respondent for getting approval of the petitioner's appointment as Typist has been returned seeking certain papers.

4. Mr.E.Martin Jaya Kumar, learned counsel appearing for the petitioner submitted that all those particulars have been furnished and even the similarly placed persons have got approval for their appointment from the second respondent. However, the petitioner's case has not been considered so far. The representations made by the petitioner on 02.02.2023 and 19.01.2024 are yet to be considered by the respondents 1 and 2.

5. It is needless to point out that whenever a representation of this nature is made to a Government Authority, there is a duty cast upon them to consider the same on their own merits and pass appropriate orders



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in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Government Authority would amount to dereliction of duty. The failure on the part of the Authority had prompted the petitioner to file this petition 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 1 and 2 are required to be given with a direction to consider the representation of the petitioner within a specified time frame.

6. In the light of the above observations, there shall be a direction to the respondents 1 and 2 herein to consider the petitioner's representation dated 19.01.2024 on their own merits and pass appropriate orders in accordance with law, 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 of the claim of the petitioner and it is open to the respondents 1 and 2 to consider the same on their own merits.



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7. With the above direction, the Writ Petition stands **disposed**

**of.** No costs.

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NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

*mbi*

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.



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R.N.MANJULA, J.

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