



W.P.(MD)No.24212 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.24212 of 2022

and

W.M.P.(MD).No.4025 of 2023

S.Lakshmi Narayanan

... Petitioner

Vs.

1. The Secretary,
Higher Education Department,
Government of Tamil Nadu,
Secretariat, Namakkal Kavignar Maligai,
6th Floor, Fort St. George, Chennai - 600 009.
2. The Director,
Directorate of Collegiate Education,
Department of Higher Education,
Government of Tamil Nadu,
9th Floor, Evk Sampath Building,
College Road, Chennai-600 006.
3. The Regional Joint Director,
O/o.The Regional Joint Director of Collegiate Education,
Clives Building,
1st Floor, Teppakulam Post,
Tiruchirappalli - 620 002.
4. The Chairman and Secretary,
College Governing Board,
Bishop Herber College,
P.O.Box No.615, Trichy 620 017.



W.P.(MD)No.24212 of 2022

5. The Principal,
Bishop Herber College,
P.O.Box No.615,
Trichy 620 017.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to take action on the basis on the representation dated 07.09.2022.

For Petitioner : Mr.B.Char Murugan

For R-1 to R-3 : Mr.T.Amjadkhan,
Government Advocate

For R-4 & R-5 : Mr.D.Balamurugapandi

ORDER

Heard Mr.B.Char Murugan, learned counsel appearing for the petitioner, Mr.T.Amjadkhan, learned Government Advocate appearing for Respondent Nos.1 to 3 and Mr.D.Balamurugapandi, learned Counsel appearing for Respondent Nos.4 and 5.

2. Mr.B.Char Murugan, learned counsel appearing on behalf of the petitioner submitted that the father of the petitioner Late N.Srinivasan was working as Typist in the fifth respondent College and passed away on 01.02.2019 while he was in service by leaving behind the petitioner's family. He further submitted that the petitioner submitted a representation before the



W.P.(MD)No.24212 of 2022

respondents seeking compassionate appointment to him on 07.09.2022. Since the said representation has not been considered by the respondents, the present writ petition has been filed.

3. 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 direction to consider the representation of the petitioner within a specified time frame.

4. In the light of the above observations, this Writ Petition is **disposed of** with a direction to the respondents herein to consider the petitioner's representation dated 07.09.2022 and pass appropriate orders on merits and in accordance with law within a period of six (6) weeks from the date of receipt of



W.P.(MD)No.24212 of 2022

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 to consider the same on its own merits. No costs. Consequently, the connected miscellaneous petition is closed.

06.06.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG
To

1. The Secretary,
Higher Education Department,
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Secretariat, Namakkal Kavignar Maligai,
6th Floor, Fort St. George, Chennai - 600 009.
2. The Director,
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Department of Higher Education,
Government of Tamil Nadu,
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O/o.The Regional Joint Director of Collegiate Education,
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W.P.(MD)No.24212 of 2022

R.N.MANJULA, J.

TSG

W.P.(MD)No.24212 of 2022

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