



W.P.(MD)No.14910 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD) No.14910 of 2025

P.Melkiyore

: Petitioner

Vs.

The Bharathidasan University,
Rep. by its Registrar,
Palkalaiperur,
Tiruchirappalli - 620024,
Trichy District.

: Respondent

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to grant promotion to the petitioner to the post of Assistant with effect from 13.11.2024 by considering the representation of the petitioner dated 14.03.2025 within a time frame that may be fixed by this Court.

For Petitioner : Mr. SC.Herold Singh

For Respondent : Mr.V.R.Shanmuganathan



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ORDER

The writ petition has been filed for the issuance of a writ of Mandamus, directing the respondent to grant promotion to the petitioner to the post of Assistant with effect from 13.11.2024 by considering the representation of the petitioner dated 14.03.2025, within a stipulated time frame.

2. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondent. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The petitioner asserts that he was initially appointed as a Security Guard on a contract basis on 22.11.1986. Based on the recommendation of the Syndicate, his services were regularized as Watchman/Guard. Subsequently, on 16.12.2005, he was granted the Selection Grade for the post of Watchman/Guard and on 26.08.2009, he was appointed to the Selection Post of Office Assistant. The grievance of the petitioner is that, despite being fully eligible for promotion to the post



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of Assistant, he has not been promoted to the said post. In this regard, the petitioner submitted a representation dated 14.03.2025 to the respondent, requesting that he may be promoted to the post of Assistant. As no action has been taken on the said representation, the petitioner has now filed the present writ petition.

4. The learned counsel for the petitioner would submit that, it would suffice, if this Court issues a direction to the respondent to consider the representation of the petitioner and pass appropriate orders, within a time frame that may be stipulated by this court.

5. 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 him 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 and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.



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6. In the light of the above observations, there shall be a direction to the respondent to consider the petitioner's representation dated 14.03.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the second respondent to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

02.06.2025

Index : Yes / No

Internet : Yes / No

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To
The Registrar,
Bharathidasan University,
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VIVEK KUMAR SINGH, J.

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