



W.P.(MD)No.15249 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15249 of 2025

Shanmugalingam

... Petitioner

-VS-

1.The Director of Collegiate Education,
Office of the Director of Collegiate Education,
Chennai.

2.The Regional Joint Director (Collegiate),
Office of the Regional Joint Director (Collegiate),
Madurai District.

3.The Principal,
Government Arts College,
Paramakudi,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to reinstate the petitioner in service as a guest lecturer in the Department of Chemistry at Government of Arts College, Paramakudi, Ramanathapuram District, with continuity of service and to pay arrears of honorarium by considering his representation dated 27.11.2024, given by the writ petitioner, within the time limit that may be stipulated by this Court.



W.P.(MD)No.15249 of 2025

WEB COPY

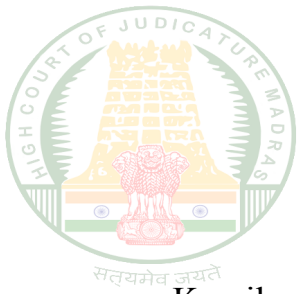
For Petitioner : Ms.S.Meena
For Respondents : Mr.T.Amjadkhan
Government Advocate

ORDER

This Writ Petition has been filed seeking a direction to the third respondent to reinstate the petitioner as a Guest Lecturer in the Department of Chemistry at Government Arts College, Paramakudi, Ramanathapuram District, with continuity of service and to pay arrears of honorarium, in consideration of his representation dated 27.11.2024.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner submits that he holds M.Sc., M.Phil., and Ph.D. degrees in Chemistry and has extensive teaching experience, having served as a professor in various private Colleges prior to his engagement in Government service. The petitioner was appointed as a Guest Lecturer in the Department of Chemistry at Government Arts College, Paramakudi, affiliated with Alagappa University,



W.P.(MD)No.15249 of 2025

Karaikudi. He served from 28.06.2017 to September 2024 with the full knowledge and approval of the competent authorities and received a monthly honorarium of Rs.25,000. During his tenure, the petitioner discharged his duties diligently and without any adverse remarks. His service was regularly renewed every academic session based on availability and performance. While so, the third respondent issued an enquiry notice vide Na.Ka.No.485/Aa/2024 dated 24.09.2024 based on a complaint by one Malathy. The petitioner duly appeared for the enquiry on 25.09.2024 and submitted his explanation. However, the enquiry was concluded without considering his defense. Subsequently, the petitioner's name was removed from the roster of Guest Lecturers for the Academic Year 2024–2025 without any notice, explanation, or show cause, effectively terminating his engagement without assigning any valid reason. Hence, the petitioner submitted a representation dated 27.11.2024, seeking reinstatement, which remains unconsidered till date. Therefore, the petitioner prays for a direction to the third respondent to reinstate him in service with continuity and to pay arrears of honorarium, by considering his representation dated 27.11.2024.



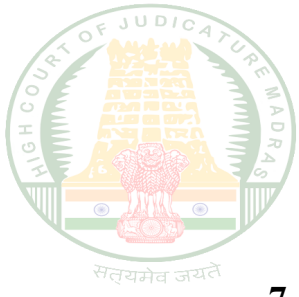
W.P.(MD)No.15249 of 2025

WEB COPY

4. Heard both sides.

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.

6. In the light of the above observations, there shall be a direction to the respondents herein to consider the petitioner's representation dated 27.11.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, 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 respondents to consider the same on its own merits.



W.P.(MD)No.15249 of 2025

WEB COPY

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

NCC : Yes / No
Index : Yes / No
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WEB COPY



W.P.(MD)No.15249 of 2025

VIVEK KUMAR SINGH, J.

smn2

W.P.(MD)No.15249 of 2025

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