

W.P.(MD)No.17420 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.17420 of 2025

T.Wins Joel

: Petitioner

Vs.

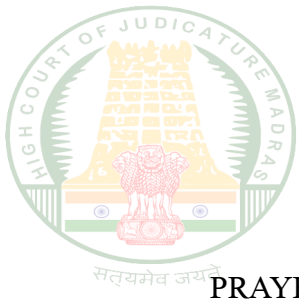
1. The Commissioner / Director,
Directorate of Collegiate Education,
577, Anna Salai,
Saidapet,
Chennai -600 015.

2. The Regional Joint Director,
Directorate of Collegiate Education,
Near Rani Anna Government College For Women,
Tirunelveli - 627 008.

3. The Scott Christian College,
(Autonomous),
Nagercoil - 629 001,
Kanniyakumari District,
Represented
by the Interim Correspondent / Regional
Joint Director of Collegiate Education.

4. The Principal,
Scott Christian College (Autonomous),
Nagercoil - 629 001,
Kanniyakumari District.

: Respondents



W.P.(MD)No.17420 of 2025

WEB COPY

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd and 3rd respondents to receive and approve the petitioners Career Advancement Scheme application in the post of Assistant Professor, Department of History, Scott Christian College, Nagercoil from level X to level XI and grant all other promotional and monetary benefits to the petitioner w.e.f. 29.06.2019 on the sanction given by the Screening Cum Evaluation Committee dated 05.05.2022 and proceed to further consider his promotion in the post of Assistant Professor, Department of History, Scott Christian College, Nagercoil from level XI to level XII w.e.f. 29.06.2024 and approve the same along with all other service and monetary benefits within the time frame.

For Petitioners : Mr.N.Dilip Kumar

for Mr. E.Martin Jaya Kumar

For Respondents : Mr.T.Amjad Khan

Government Advocate for R1 & R2

Mr.s.C.Herold Singh for R4

ORDER

This Writ Petition has been filed seeking a direction to the second and third respondents to receive and approve the petitioner's Career Advancement Scheme (CAS) application for promotion to the post of Assistant Professor, Department of History, Scott Christian



W.P.(MD)No.17420 of 2025

WEB COPY

College, Nagercoil, from Level X to Level XI and to grant all consequential promotional and monetary benefits with effect from 29.06.2019, based on the sanction given by the Screening-cum-Evaluation Committee dated 05.05.2022. The petitioner further seeks a direction to consider and approve his subsequent promotion from Level XI to Level XII with effect from 29.06.2024, along with all attendant service and monetary benefits, within a stipulated time frame.

2. Heard the learned counsel for the parties. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the third respondent is dispensed with.

3. The petitioner asserts that he was appointed as an Assistant Professor of History at the fourth respondent College. His grievance is that, despite fulfilling all eligibility criteria, his promotion was unduly delayed due to administrative lapses and allegations of corruption involving the former Correspondent/Secretary, who failed to forward his Career Advancement Scheme (CAS) proposals. The petitioner states that



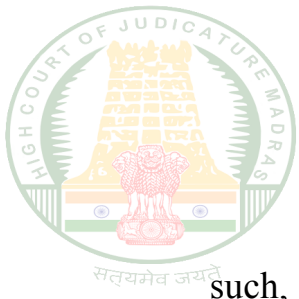
W.P.(MD)No.17420 of 2025

WEB COPY

the delay persisted even after an inquiry confirmed the allegations and a Court-appointed interim Correspondent assumed charge. In this regard, the petitioner submitted multiple representations to the respondents 1 and 2, requesting approval of his CAS promotion from Level X to Level XI with effect from 29.06.2019, as recommended by the Screening-cum-Evaluation Committee on 05.05.2022, and further requesting that his subsequent CAS promotion to Level XII be processed with effect from 29.06.2024. However, in the absence of any action, 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 second respondent to consider the representation of the petitioner dated 28.05.2025 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



W.P.(MD)No.17420 of 2025

WEB COPY

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 second respondent to consider the petitioner's representation dated 28.05.2025, in view of the recommendation dated 05.05.2022 made by the Screening-cum-Evaluation Committee. The second respondent shall examine the matter 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 eight weeks 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.



W.P.(MD)No.17420 of 2025

WEB COPY

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

26.06.2025

Index : Yes / No

Internet : Yes / No

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W.P.(MD)No.17420 of 2025

WEB COPY

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W.P.(MD)No.17420 of 2025

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W.P.(MD) No.17420 of 2025

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