



W.P.(MD).No.17847 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.17847 of 2025

B.Mathiyalagan

... Petitioner

-VS-

1. The State of Tamil Nadu,
Represented by the Principal Secretary,
Department of Higher Education,
Fort St. George,
Chennai - 600 006.
2. The Director of Collegiate Education,
College Road, Chennai - 600 006.
3. The Joint Director of Collegiate Education,
Madurai Region, Madurai - 625 002.
4. The Secretary,
Yadava College,
Thiruppalai,
Madurai - 625 014.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 3rd respondent Joint Director of Collegiate Education to consider and pass orders on the petitioner's Appeal dated 28.04.2025 in accordance with law within a stipulated time as may be prescribed by this Court.



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For Petitioner : Mr.K.Ragatheesh Kumar

For Respondents : Mr.T.Amjad Khan

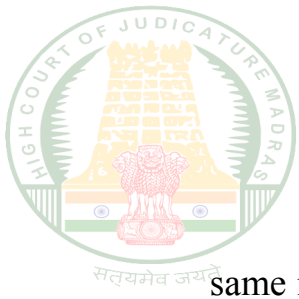
Government Advocate

ORDER

This writ petition has been filed seeking a direction to the 3rd respondent to consider and pass orders on the petitioner's appeal dated 28.04.2025 in accordance with law.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. The petitioner was initially appointed as 'Assistant Professor' in the fourth respondent college on 19.06.2000 and he has rendered 25 years of service. While that being so, at the verge of his retirement, he was imposed with the punishment of liability to pay a sum of Rs.22,88,402/- on 21.04.2025. In view of the same, he was neither relieved from the said post nor paid undisputed terminal benefits. Challenging the same, the petitioner filed an appeal dated 28.04.2025 before the third respondent. However, the



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same is pending with the third respondent till date. Hence, the petitioner has filed the present Writ Petition.

4. It is needless to point out that whenever a representation/appeals 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.

5. In the light of the above observations, there shall be a direction to the third respondent to consider the petitioner's appeal dated 28.04.2025 on its own merits and pass appropriate orders in accordance with law, after affording opportunity of hearing to the petitioner, within a period of twelve 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 respondents to consider the same on its own merits.



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

02.07.2025

NCC : Yes/No
Index : Yes / No
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TO:-

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VIVEK KUMAR SINGH, J.

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Order made in
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Dated:
02.07.2025