



W.P.(MD)No.19536 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19536 of 2025

- 1.Gowri
- 2.Jeyaseeli
- 3.Jayanthi
- 4.Krishnaveni
- 5.Ragini Devi
- 6.M.Pushpalatha

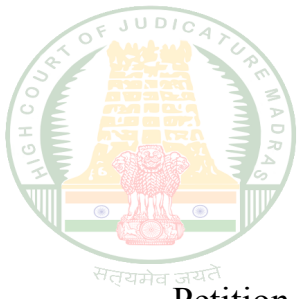
... Petitioners

-VS-

- 1.The Registrar,
Bharathidasan University,
Palkalaiperur,
Tiruchirappalli - 620 024.
- 2.The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Higher Education Department,
Chennai.
- 3.The Director of Local Fund Audit Department,
Kuralagam,
Chennai - 600 108.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to revise the pension and reimburse the recovered amount in the light of the orders passed in Review



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Petition in Rev.Aplc.(MD)No.170 of 2022 in W.A.(MD) No.684 of 2019 dated 28.04.2023 by considering the representation of the petitioners, dated 02.07.2025, within the time period stipulated by this Court.

For Petitioners : Mr.G.Karthik
for M/s.Roy and Roy Associates

For R2 and R3 : Mr.T.Amjadkhan
Government Advocate

ORDER

This Writ Petition has been filed seeking a direction to the respondents to revise the petitioners' pension and reimburse the amount that was recovered, in the light of the orders passed in Review Petition in Rev.Aplc.(MD)No.170 of 2022 in W.A.(MD)No.684 of 2019, dated 28.04.2023, by considering the petitioners' representation dated 02.07.2025, within the time period that may be stipulated by this Court.

2. By consent, this Writ Petition is disposed of, at the admission stage itself.



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3. According to the petitioners, they were appointed in the service under the Bharathidasan University in the years 1988, 1990, and 1991 respectively and had rendered long, unblemished service, eventually retiring as Section Officers in the years 2018, 2019, and 2020. During their tenure, the petitioners were granted promotions and Selection Grade in the cadre of Assistant/Assistant Section Officer (ASO). However, there arose anomalies in the grant of promotion to the post of Superintendent and in the conferment of Selection Grade, particularly, when compared with one K.Gunalan, who was granted Selection Grade in the cadre of Assistant/ASO with effect from 09.06.2001.

4. The petitioners sought rectification of these anomalies and initially challenged the disparity by filing W.P.(MD)No.8032 of 2015, which was dismissed by a learned Single Judge on 14.06.2019. Aggrieved, the petitioners preferred W.A.(MD)No.684 of 2019, in which the Hon'ble Division Bench of this Court was pleased to partly allow the writ appeal on 17.11.2022, recognizing the merit in their claim.



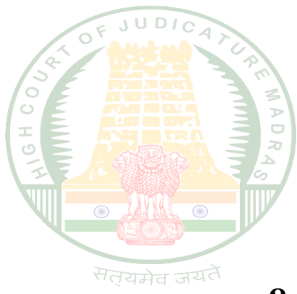
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5. Pursuant to the said judgment, the petitioners submitted a detailed representation dated 02.07.2025 seeking implementation of the judgment and rectification of the service-related anomalies. However, the same has not been considered by the respondents till date. The inaction of the respondents in addressing the legitimate grievance of the petitioners has constrained them to approach this Court seeking appropriate directions.

6. Heard both sides.

7. 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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8. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation dated 02.07.2025, on its own merits and pass appropriate orders in accordance with law, within a period of six 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 first respondent to consider the same on its own merits.

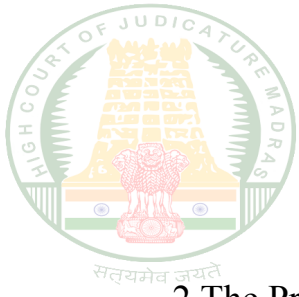
9. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
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18.07.2025
(2/2)

To:-

1. The Registrar,
Bharathidasan University,
Palkalaiperur,
Tiruchirappalli - 620 024.



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2.The Principal Secretary to Government of Tamil Nadu,
Higher Education Department,
Chennai.

3.The Director of Local Fund Audit Department,
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VIVEK KUMAR SINGH, J.

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