



W.P.(MD).No.19752 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19752 of 2025

R.Balasubramanian

... Petitioner

-VS-

**1. The Secretary to Government,
Health and Family Welfare Department,
Fort St.George, Chennai - 9.**

**2. The Director,
Medical Education Department,
Kilpauk, Chennai - 10.**

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to publish the panel for promotion to the post of Assistant Professor (in Pharmacognocny) for the year 2014 to 2025 by following under Section - 7(1) to 7(5) of Tamilnadu Government Servant Conditions of Service Act 2016 by dispose petitioner's representation dated 20.06.2025.

For Petitioner : Mr.D.Selvanayagam

For Respondents : Mr.K.Balasubramani

Special Government Pleader



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ORDER

This writ petition has been filed seeking a direction to the respondents to publish the panel for promotion to the post of 'Assistant Professor (Pharmacognosy)' for the year 2014 to 2025 by following the law laid down under Section - 7(1) to 7(5) of Tamilnadu Government Servant Conditions of Service Act 2016, by disposing of the petitioner's representation dated 20.06.2025.

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

3. The petitioner was appointed as 'Pharmacist' in the Government Primary Health Centre at Mandaiyoor, Pudukottai District, on 09.11.2000 and he has been working for the past 25 years, without any promotion, though he has completed D.Pharm, B.Pharm degrees and Ph.D., in the years 1996, 2016 and 2021 respectively. The case of the petitioner is that he is fully qualified for promotion to the post of 'Assistant Professor (Pharmacognosy)'. Hence, the petitioner made a representation to the respondents dated 20.06.2025



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seeking for the aforesaid relief. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

4. 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.

5. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioner's representations dated 20.06.2025, on its own merits and pass appropriate orders in accordance with law, 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.



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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.

21.07.2025

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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21.07.2025