



W.P.(MD)No.21121 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.08.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.(MD) No.21121 of 2025

R.Sivakami

: Petitioner

Vs.

1. State of Tamil Nadu,
Represented by its Principal Secretary to the Government,
Department of Higher Education,
Fort St.George,
Chennai - 600 009.
2. The Director of Collegiate Education,
No.577, Anna Salai,
College Road,
Chennai 600 015.
3. The Regional Joint Director Of Collegiate Education,
Tirunelveli Region,
Tirunelveli.
4. The Secretary,
Thiruvalluvar College,
Papanasam,
Tirunelveli District - 627 425.

: Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent No.2 to 4 to provide Career Advancement Scheme promotion from Assistant Professor Stage 10 to Assistant Professor Stage 11 with effect from 01.10.2020 by taking into account of the service rendered by the petitioner as Post Doctoral Fellow from 01.06.2016 to 09.08.2018 and disburse the monetary benefits along with arrears in the post of Assistant Professor Stage 11 within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Raja Simman

For Respondents : Mr.T.Amjad Khan (R1 to R3)

Government Advocate

ORDER

This writ petition has been filed seeking a direction to the respondents 2 to 4 to provide Career Advancement Scheme promotion from Assistant Professor Stage 10 to Assistant Professor Stage 11 with effect from 01.10.2020 by taking into account of the service rendered by the petitioner as Post Doctoral Fellow from 01.06.2016 to 09.08.2018 and disburse the monetary benefits along with arrears in the post of Assistant Professor Stage 11 within the time period stipulated by this Court.



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2. Considering the nature of the order proposed to be passed in this writ petition, notice to the fourth respondent is dispensed with and this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner had made a representation for providing Career Advancement Scheme promotion from Assistant Professor Stage 10 to Assistant Professor Stage 11 with effect from 01.10.2020 by taking into account of the service rendered by the petitioner as Post Doctoral Fellow and disburse the monetary benefits along with arrears in the post of Assistant Professor Stage 11 and the same was returned for clarifying certain defects. Hence, the petitioner made another representation dated 04.07.2025 to the respondents and the same has not been considered till date.

4. The learned counsel appearing for the petitioner submits that though the aforesaid relief has been sought for by the petitioner, now, he confines the prayer that it would suffice if the representation submitted by the petitioner dated 04.07.2025 is disposed of in accordance with law.



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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 to consider the petitioner's representation dated 04.07.2025, 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 respondents to consider the same on its own merits.



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

20.08.2025

Index : Yes / No
NCC : Yes / No
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M.DHANDAPANI, J.

Sm

To:-

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