



W.P.(MD)No.22480 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2025

CORAM:

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

W.P.(MD) No.22480 of 2025

R.S.Tibi Thomas

: Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep by its Secretary,
Higher Education Department,
Fort St.George,
Chennai 600009.
2. The Government of Tamil Nadu,
Rep by its Secretary,
Finance Department,
Fort St.George,
Chennai. 600 009.
3. The Commissioner of Collegiate Education,
I.A.S.E Campus,
577 Anna Salai,
Saidapet, Chennai 600 015.
4. The Regional Joint Director Of Collegiate Education,
Tirunelveli Region,
Tirunelveli.
5. The Secretary Cum Correspondent,
Nesamony Memorial Christian College,
Marthandam.

: 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 respondents to disburse the salary and arrears of salary of petitioner from 19.09.2003 to 29.07.2007 with all attendant consequential benefits within a time frame stipulated by this Court.

For Petitioner : Mr.S.Balamurugan

For Respondents : Mr.T.Amjad Khan

Government Advocate

ORDER

This writ petition has been filed seeking a direction to the respondents to disburse the salary and arrears of salary of petitioner from 19.09.2003 to 29.07.2007 with all attendant consequential benefits.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The learned counsel appearing for the petitioner would submit that the petitioner was appointed as Assistant Professor (English) in the fifth respondent college with effect from 19.09.2003. Originally, his



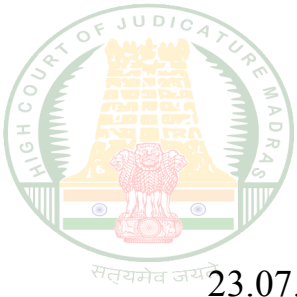
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appointment was approved with effect only from 30.07.2007 and after litigation before this Court, his service for the period from 19.09.2003 to 29.07.2007 was approved by the third respondent, for which, the fourth respondent approved salary disbursement also. However, his salary has not been disbursed till date. In this regard, the petitioner made a representation dated 23.07.2025 to the third respondent. Since the same was not considered till date, 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 third respondent to consider the petitioner's representation dated



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23.07.2025, on its own merits and pass appropriate orders in accordance with law, by disbursing the eligible salary to the petitioner, within a period of three 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.

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

18.08.2025

Index : Yes / No
NCC : Yes / No
Sm

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M.DHANDAPANI, J.

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