

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.16775 of 2015

R.Vasanthi

... Petitioner

-Versus-

- 1.The Secretary to Government,
Health & Family Welfare Department,
Fort St. George,
Chennai 600 009.
- 2.The Director of Public Health
and Preventive Medicine,
DMS Compound,
Anna Salai, Chennai 600006.
- 3.The Project Director,
Reproductive & Child Health Project,
DMS Compound,
Chennai 600 006.
- 4.The Deputy Director of Health Services,
Gandhiji Road,
Thanjavur.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Mandamus, directing the respondents to grant special time scale of pay of Rs.1300-3000 + Grade pay of Rs.300/- to the petitioner as per G.O.Ms.No.385 Finance (Paycell) Department dated 01.10.2010 with all consequential service and monetary benefits.

For petitioner : Mr.M.Subramaniam

For Respondents : Mr.V.Jayaprakash Narayanan,
Spl. G.P. for R1 to R4

ORDER

The petitioner is working as a Sweeper in Government Primary Health Centre, Thondarampattu, Thanjavur District, from 31.08.2001 onwards. She is paid on daily wages basis. According to the petitioner, the Government issued Orders in G.O.Ms.No.385, Finance (Paycell) Department dated 01.10.2010 and G.O.Ms.No.653,

Home Department, dated 07.08.2009 granting the time scale of pay i.e., Rs.1300 - 3000 + Rs.300/- Grade Pay to the Sweepers. In this regard, the petitioner made a representation on 01.04.2015 to the respondent requesting them to fix the pay in terms of the above said Government Orders. Now, the grievance of the petitioner is that her representation has not so far been considered by the respondents and hence, she has come forward with this writ petition seeking a direction to the respondents to grant special time scale of pay of Rs.1300-3000 + Grade pay of Rs.300/- to the petitioner as per G.O.Ms.No.385 Finance (Paycell) Department dated 01.10.2010 with all consequential service and monetary benefits.

2. I have heard the submissions made on either side.

3. Though a positive direction is sought for in the writ petition, the learned counsel for the petitioner during the course of his argument would confine his submission to the effect that the petitioner would be satisfied if a direction is issued to the respondent to consider the representation made by the petitioner .

4. In view of the above submission made by the learned counsel for the petitioner, this court directs the 1st respondent to consider the representation of the petitioner dated 01.04.2015 on merits and in accordance with law in the light of the Government Orders referred to above and to pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

-sd/-

ASSISTANT REGISTRAR

/ TRUE COPY /

SUB-ASSISTANT REGISTRAR

Kmk

To

1. The Secretary to Government,
Health & Family Welfare
Department, Fort St. George,
Chennai 600 009.

2. The Director of Public Health
and Preventive Medicine,
DMS Compound, Anna Salai,
Chennai 600006

3. The Project Director, Reproductive
& Child Health Project,
DMS Compound, Chennai 600 006.

4. The Deputy Director of
Health Services,
Gandhiji Road, Thanjavur.

+1 CC to Government Pleader. SR.NO. 28975

+1 CC to Mr.S.M.SUBRAMANIAM Advocate . SR.NO. 29067

W.P.No.16775 of 2015

CO-vsn

JD 30/06/2015



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