

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.21041 of 2015

M.Muniammal

... Petitioner

-Versus-

1. The Secretary to Government,
School Education Department,
Fort St. George,
Chennai 600 009.
2. The Director of Public Libraries,
Anna Salai,
Chennai-2.
3. The District Library Officer,
Villupuram District,
Villupuram.

... 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.13000-3000 + Grade pay Rs.300/- to the petitioner as per G.O.Ms.No.385 Finance (Pay Cell) Department dated 01.10.2010 with all consequential service and monetary benefits.

For petitioner : Mr.S.M.Subramaniam

For Respondents : Mr.V.Jayaparakash Narayanan,
Special Government Pleader

ORDER

The petitioner claims that she is a full-time Gardner in the respondent Department. According to her, she was initially appointed as such on 22.04.2006 on daily wages basis and was subsequently ousted from service on 10.03.2008.

2. It is the further case of the petitioner that she was, however, reinstated in the same post on 21.04.2008 as full-time Gardner in the Branch Library at Tindivanam on daily wages basis

and has been working as such till date. The petitioner further states that part-time employees were all given time scale of pay at Rs.1300-3000 + Grade pay of Rs.300/- as per G.O.Ms.No.385, Finance (Paycell) Department, dated 01.10.2010. The grievance of the petitioner is that though she made a representation in this regard to the respondents, there has been no response. Hence, she has come forward with this writ petition.

3. I have heard Mr.S.M.Subramaniam, the learned counsel for the petitioner and MR.V.Jayaprakash Narayanan, the learned Special Government Pleader who takes notice for the respondents and also perused the records carefully.

4. The learned counsel for the petitioner in support of his claim for special time scale of pay relies on Government Orders in G.O.Ms.No.385, Finance (Paycell) Department, dated 01.10.2010 and G.O.(Pa) No.680, Public and Family Welfare (AB-1) Department, dated 28.06.2013 and also the order of this court dated 19.12.2014 made in W.P.No.33950 of 2014.

5. The learned Special Government Pleader appearing for the respondents would be fair enough to submit that the representation given by the petitioner would be considered by the respondents within a time frame to be specified by this court. The said statement is recorded.

6. Considering the above submissions made on either side and the limited scope of the prayer sought for by the petitioner, without going into the merits of the claim made in the writ petition, this court, directs the 1st respondent to consider the representation of the petitioner dated 10.06.2015 with regard to the grant of special scale of pay in the light of G.O.Nos.385 Finance (Paycell) Department, dated 01.10.2010 and G.O.Ms.No.653, Home Department, dated 07.08.2009 and also the order of this court dated 19.12.2014 made in W.P.No.33950 of 2014 and pass orders thereon on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is, accordingly, disposed of. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kmk

To

- 1.The Secretary to Government,
School Education Department,
Fort St. George,
Chennai 600 009.
- 2.The Director of Public Libraries,
Anna Salai,
Chennai-2.
- 3.The District Library Officer,
Villupuram District,
Villupuram.

+1cc to M/s.S.M.Subramaniam, Advocate, S.R.No.35682
+1cc to the Government Pleader, S.R.No.35702

W.P.No.21041 of 2015

UG(CO)
CA(31/07/2015)



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