

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.21711 of 2015

and

M.P.No.1 of 2015

1. Tmt.S.Rajaveni
2. Tmt.T.Rani
3. Tmt.A.Rajammal
4. Tmt.J.Kasturi
5. Tmt.P.Kasiyammal
6. Tmt.K.Rani
7. Tmt.S.Muniyammal
8. Tmt.M.Malar
9. Mr.Krishnan
- 10.Tmt.K.Vijaya
- 11.Tmt.S.Manjula
- 12.Tmt.K.Sarathambal
- 13.Tmt.Malliga
- 14.Tmt.R.Govindammal
- 15.Tmt.Saroja
- 16.Tmt.K.Lakshmi
- 17.Ms.R.Abirami

... Petitioners

-Versus-

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
School Education Department,
Secretariat,
Chennai 600 009.
2. The District Collector,
Panchayat Development Wing,
Tiruvannamalai District.
3. The Block Development Officer
[Village Panchayats],
Tellar,
Tiruvannamalai District.
4. The Assistant Elementary Educational Officer,
Tellar,
Tiruvannamalai District.

... 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 consider the individual representations of the petitioner dated 10.06.2015 with regard to regularisation of their services in the post of Sweeper by appointing them in Special Time Scale of Pay as per the Government Order in G.O.Ms.No.385, Finance (Pay Cell) Department, dated 01.10.2010 with all consequential benefits.

For petitioner : Mr.J.Muthukumaran
For respondents : Mr.S.Gunasekaran,
GA for R1, R2 and R4
Mr.S.V.Durao Solaimalai, AGP for R3

ORDER

Seeking to issue a mandamus directing the respondents to consider the request of the petitioners for regularisation of their services in the post of Sweeper by appointing them on special time scale of pay, the petitioners are now before this court with this writ petition.

2. The case of the petitioners is that they were all appointed as Sweepers in the Panchayat Union Schools as detailed herein below:-

Sl. No.	Name of the Individual	Working at	Date of Entry
1	S.Rajaveni	Panchayat Union Middle School, Kandavarati Village, Thellar Block, Tiruvannamalai District.	1999
2	T.Rani	Panchayat Union Middle Elementary School, Gengampoondi, Tiruvannamalai District.	1992
3	A.Rajammal	Panchayat Union Elementary School, Thirumanithangal, Tiruvannamalai District.	1980
4	J.Kasturi	Panchayat Union Elementary School, Vadavanakkampadi, Tiruvannamalai District.	1992
5	P.Kasiyammal	Panchayat Union Primary School, Melpathi 604 505.	1996

6	K.Rani	Panchayat Union Middle School, Thankkadarayapuram, Tiruvannamalai District.	1995
7	S.Muniyammal	Panchayat Union Elementary School, Perumbakkam, Tiruvannamalai District.	1998
8	M.Malar	Panchayat Union Elementary School, Pancharai, Tellar Panchayat, Desur, Tiruvannamalai District.	1995
9	Krishnan	Panchayat Union Elementary School, Korakottai, Tiruvannamalai District.	1998
10	K.Vijaya	Panchayat Union Elementary School, Thenkarai, Tiruvannamalai District.	1998
11	S.Manjula	Panchayat Union Elementary School, Thenthinalur, Thellar Union, Tiruvannamalai District.	1999
12	K.Sarathambal	Panchayat Union Elementary School, Rayanandal, Tiruvannamalai District.	1980
13	Malliga	Thellar Panchayat Union Elementary School, Ariyanpoondi, Tiruvannamalai District.	1995
14	R.Govindammal	Panchayat Union Middle School, Kilveliyur, Thellar, Tiruvannamalai District.	1995
15	Mrs.Saroja	Panchayat Union Elementary School, Molapattu, Tiruvannamalai District.	1991
16	K.Lakshmi	Panchayat Union Elementary School, Paruvathampoondi, Tiruvannamalai District.	2010
17	R.Abirami	Panchayat Union Elementary School, Sidharukayur, Tiruvannamalai District.	1999

The only grievance of the petitioner is that they are not paid salary at the scale of pay applicable to the part-time employees as per G.O.Ms.No.385, Finance (Pay Cell) Department dated

01.10.2010 and G.O.Ms.No.653, Home Department, dated 07.08.2009 and in the light of the order of this court in W.P.No.29412 of 2010 [K.Palanisamy and 73 others v. The State and 3 others]

3. I have heard the submissions made on either side and also perused the records carefully.

4. Considering the limited scope of the prayer and the facts and circumstances of the case, without going into the merits of the claim of the petitioners, this court permits the petitioners to make fresh a fresh representation individually to the 1st respondent requesting time scale of pay as provided under Government Orders and the order of this court referred to above and on receipt of such representations, the 1st respondent shall consider the same on merits and in accordance with law and pass orders thereon in the light of the Government Orders and the order of this court referred to above 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. Consequently, connected MP is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

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Sub Assistant Registrar

To

- 1.The Secretary to Government,
School Education Department,
Secretariat, Chennai 600 009.
- 2.The District Collector,
Panchayat Development Wing,
Tiruvannamalai District.
- 3.The Block Development Officer [Village Panchayats],
Tellar, Tiruvannamalai District.
- 4.The Assistant Elementary Educational Officer,
Tellar, Tiruvannamalai District.

+lcc to Mr.J.Muthu Kumar, Advocate, S.R.No.36791

+lcc to the Government Pleader, S.R.No.37009

W.P.No.21711 of 2015

KM(CO)

CA(13/08/2015)