IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.23155 of 2015

C.Palani .. Petitioner

Vs.

1. The District Collector and
   Inspector of Panchayat,
   Dharmapuri District, Dharmapuri-5.

2. The Assistant Director of Panchayat,
   Dharmapuri District, Dharmapuri-5.

3. The Commissioner/Block Development Officer,
   Pennagaram Panchayat Union,
   Pennagaram, Dharmapuri District.

4. The Panchayat President,
   Nagamarai Village Panchayat,
   Nagamarai, Pennagaram Talulk,
   Dharmapuri District. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to pay the time scale of pay on completion of three years i.e. on and from 19.01.2011 along with arrears and regularise the petitioner's service as Sweeper in the fourth respondent-Panchayat, within stipulated time.

For petitioner : Mr.M.R.Jothimanian
For respondents : Mr.V.Jayaprakash Narayanan,
Spl.G.P. for RR-1 & 2
Mr.R.Ravichandran for RR-3 & 4

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ORDER

The petitioner was appointed in the post of Sweeper by the fourth respondent-Panchayat President on 18.01.2008; he completed three years of service on 19.01.2011 and therefore, according to him, he is entitled to the time scale of pay as per G.O.Ms.No.39, Rural Development and Panchayat Raj Department, dated 07.05.2013. It is seen that persons similarly placed like him approached this Court and obtained orders, i.e. order dated 21.9.2011 in W.P.No.6369 of 2011 and order dated 08.12.2014 in Review Appln.No.281 of 2014 in

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W.P.No.13162 of 2013, for grant of time scale of pay. In the above circumstances, it is seen that the petitioner made a representation on 16.03.2015 to the first respondent-District Collector/Inspector of Panchayats, to grant him the time scale of pay. Therefore, he filed this Writ Petition. Taking into consideration the above orders of this Court and also the said G.O., the first respondent is directed to dispose of the said representation, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

cs

Copy to

1. The District Collector and Inspector of Panchayat,
   Dharmapuri District, Dharmapuri-5.

2. The Assistant Director of Panchayat,
   Dharmapuri District, Dharmapuri-5.

3. The Commissioner/Block Development Officer,
   Pennagaram Panchayat Union,
   Pennagaram, Dharmapuri District.

4. The Panchayat President,
   Nagamarai Village Panchayat,
   Nagamarai, Pennagaram Talulk,
   Dharmapuri District.

+1cc to Mr.Jothimanian, Advocate, S.R.No.39289

+1cc to the Government Pleader, S.R.No.39536

MG(CO)
EU(24/08/2015)

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