IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25990 of 2015
And
M.P.No.1 of 2015

1.V.Jeyalalitha
2.V.Vijaya
3.M.Karpagam
4.A.Selvanayagi
5.M.Vijaya ...Petitioners

Vs.

1 The Secretary
Government of Tamil Nadu Education
Department Fort St. George Chennai-9.

2 The Secretary
Government of Tamil Nadu Finance Department
Fort St. George Chennai-9.

3 The District Collector
Thiruvarur.

4 The District Elementary
Officer Thiruvarur District.

5 The Assistant Elementary
Educational Officer Koradacheri Thiruvarur
District. ...Respondents

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Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to regularize the service of the petitioners w.e.f. the date of completion of 10 years of service in the light of the G.O. (P) No.99 School Education Department dated 08.06.2011 and grant all arrears of salary within a

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specified period of time.

For Petitioners : Ms.T.Aananthi

For Respondents : Mr.S.Gunasekaran
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioners would state that they have been appointed as Sweepers on part time for consolidated pay of Rs.70/- and as per G.O.Ms.No.1279, Education Department, dated 29.06.1981 they were absorbed under the Government establishment and it is their claim that they are eligible for Rs.335/- with effect from 01.01.1996 to 14.09.2010 and special time scale of pay with effect from 15.09.2010 as per G.O.Ms.No.385, Finance (Pay Cell) Department dated 01.10.2010. The Government taking into consideration the said request has passed G.O.Ms.No.191, Finance (Pay Cell) Department dated 29.04.1998 and it was also considered by the third respondent vide proceedings dated 20.11.2009 as per G.O.Ms.No.385, Finance (Pay Cell) Department dated 01.10.2010. The first respondent has also passed order for granting special time scale of pay with effect from 15.09.2010, but it was not granted and so far the festival bonus admissible as per the Government Order was also not granted. The petitioners in this regard, repeatedly submitted representations and the last of such representation was submitted on 15.07.2015 and since no orders have been passed, came forward to file this writ petition.

3.Heard the submissions of Ms.T.Aananthi, learned counsel appearing for the petitioners and Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents.

4.Though the petitioners prayed for a larger relief, this Court in the light of the facts and circumstances directs the third respondent to moot out necessary proposal to the second respondent within a period of six weeks from the date of receipt of a copy of this order and the second respondent while considering the said proposal shall take note of the G.O.(P) No.99, School Education Department, dated 08.06.2011 and pass appropriate orders within a period of eight weeks thereafter and communicate the decision taken, to the first respondent as well as to the petitioners.

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5.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

1 The Secretary
Government of Tamil Nadu Education
Department Fort St. George Chennai-9.

2 The Secretary
Government of Tamil Nadu Finance Department
Fort St. George Chennai-9.

3 The District Collector
Thiruvarur.

4 The District Elementary
Officer Thiruvarur District.

5 The Assistant Elementary
Educational Officer Koradacheri Thiruvarur
District.

1 CC to Ms.T.Aananthi, Advocate SR.No. 44298

1 CC to the Government Pleader, SR.No. 44455

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VSN (CO)
PSI (11.09.2015)

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