

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.27395 of 2015 &

M.P.No.1 of 2015

1 M.Chakravarthi  
2 A.Bharathi  
3 M.Sivasankari  
4 M.Sakthivel  
5 J.Kulanthaivel  
6 P. Jayamoorthi  
7 R.Nambi  
8 P.Thanikachalam  
9 P.Sadhanandham  
10 S.Annadurai  
11 K.Kalaiyamoorthi  
12 K.Subramanian  
13 J.Baskaran  
14 I.Sivasankaran  
15 S.Elumalai  
16 A.Kirubakaran  
17 G.Manisekar  
18 V.Malaiyan  
19 S.Murugesan  
20 C. Panchatcharam  
21 K.Subramanian  
22 C.Raja  
23 A.Latha  
24 G.Chandra  
25 P.Latha  
26 M.Amudha  
27 M.Selvi  
28 Pushpa  
29 P.Kanagambal  
30 P.Kolanji  
31 M.Vasanthi  
32 I.Sathiya



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... Petitioners

v.

- 1 State of Tamilnadu  
Rep. by Commissioner Adi-Dravidar and  
Tribal Welfare Department,  
Chepauk Chennai- 600 005.
- 2 Director  
Adi-Dravidar and Tribal Welfare Department  
Chepauk Chennai-5.
- 3 District Adi Dravidar Welfare Officer  
Cuddalore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to consider and promote the Writ Petitioners to the post of Cook and also pay time scale of pay as it was done in the case of the Petitioners seniors w.e.f the date of filing of this Writ Petition and pay the consequential monetary service and other benefits from the date of the Writ Petition.

For Petitioner : Mr.S.Saravana Kumar

For Respondents : Mr.V.Subbiah,  
Spl. Govt. Pleader

#### O R D E R

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

2. The petitioners got registered their names in the jurisdictional Employment Exchange and their names were sponsored and the respondents by proceedings dated 19.12.2011 has appointed them as Sanitary Workers for the Hostels run by them on consolidated pay and the details of their postings were stated in paragraph No.5 of the affidavit filed in support of the writ petition. The grievance expressed by the petitioners is that wages are much less than the minimum wage fixed by the Government. Though they have put in service for more than four years and they have requested the 4<sup>th</sup> respondent to appoint them as Cook and pay them the time scale of pay, they have not been favoured with any kind of response and hence, came forward to file this writ petition.

3. Mr.S.Saravana Kumar, learned counsel appearing for the petitioner submitted that Adi-Dravidar and Tribal Welfare Department has passed proceedings dated 1.12.2010 and 19.12.2011 respectively. The learned counsel for the petitioner would further submit that the petitioners in this regard submitted representations dated 09.09.2013, 11.11.2013 and 23.11.2014 to the second respondent.

Since no orders have been passed, came forward to file this writ petition.

4. The learned counsel appearing for the petitioners would draw the attention of this Court to the letter of the 2<sup>nd</sup> respondent dated 17.07.2013 addressed to the President of their Association stating that necessary proposal for conferment of the time scale has already been forward to the Government and the same is pending consideration and hence prays for appropriate orders.

5. Heard the submissions of learned counsel for the petitioner and Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of respondents.

6. Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the case, directs the respondents to consider and dispose of the petitioner's representations dated 09.09.2013, 11.11.2013 and 23.11.2014, after taking note of the letter of the 2<sup>nd</sup> respondent dated 17.07.2013 in Na.Ka.No.tha.1/3972/2013, and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

Rj

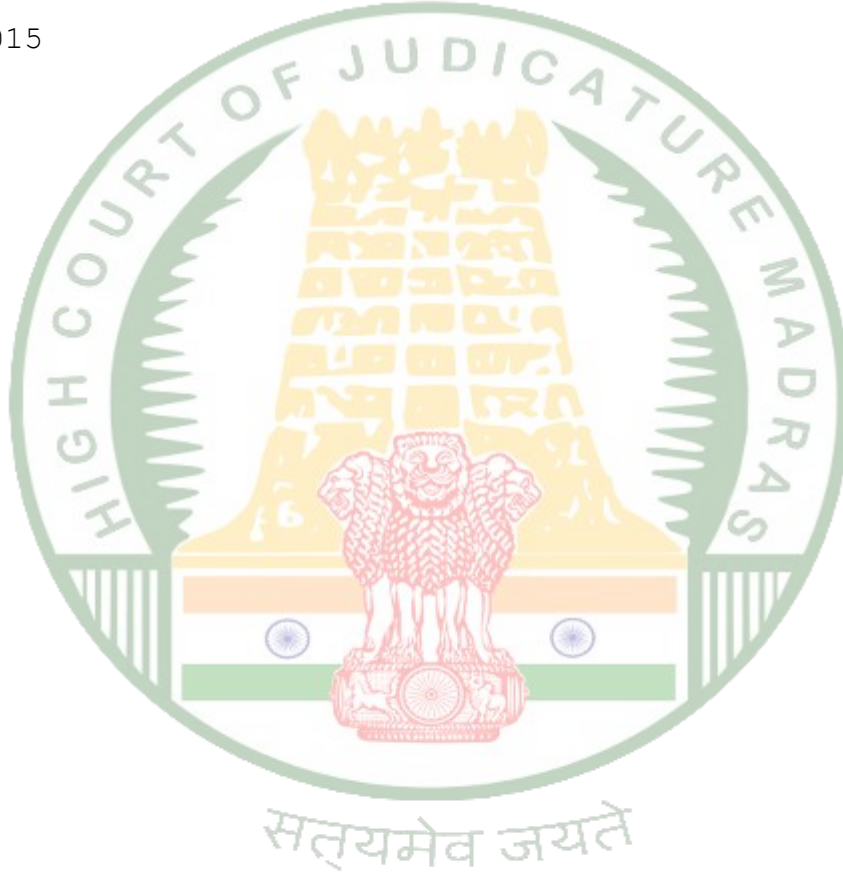
To

- 1 The Commissioner Adi-Dravidar and Tribal Welfare Department, Chepauk Chennai- 600 005.
- 2 The Director Adi-Dravidar and Tribal Welfare Department Chepauk Chennai-5.
- 3 The District Adi Dravidar Welfare Officer Cuddalore District.

+1 cc to Mr.S.SaravanaKumar, Advocate sr.47055  
+1 cc to Government Pleader sr.47628

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