

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.29944 of 2015

South Arcot District Municipal
Panchayat Workers Union rep. by
its President Mr.S.V.Ramanujam ... Petitioner

Vs.

- 1 The District Collector
Villupuram.
- 2 Block Development Officer
Melmalayanoor Panchayat Union Villupuram
District. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the monthly Salary to the members of the petitioner union from 1.7.2013 to till this day and to pay the arrears of bonus from 2010 to 2014.

For Petitioner : Mr.K.Vasudevan

For Respondents : Mr.V.Subbiah for R1
Special Government Pleader
Mr.M.Digvijaya Pandian for R2
Additional Government Pleader

सत्यमेव जयते

O R D E R

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

2.The petitioner Union would state that their members are working in the Panchayat Union School of the second respondent as Sanitary Workers for the past 10 to 20 years and their monthly salary was fixed in terms of G.O.Ms.66, Rural Development Department, dated 03.02.1990 at the rate of Rs.150/- per month. However, the members of the petitioner Union used to get only Rs.80/- and Rs.100/- per month and in this regard, W.P.No.12735 of 2011 was filed and it was allowed and writ appeal was preferred against the said order which was dismissed and thereafter, the Government passed G.O.Ms.No.118 of the same department dated 12.05.2000 enhancing the monthly salary to

Rs.400/- and however, it was not paid and once again writ petition in W.P.No.18930 of 2005 was filed and it was allowed and thereafter, the members of the petitioner Union are paid with a sum of Rs.400/- per month and the said amount was enhanced to Rs.600/- by virtue of G.O.Ms.No.60 of the very same department dated 03.05.2005 and since it was not paid W.P.No.27492 of 2010 was filed and it was allowed and writ appeal preferred against the said order was also dismissed and thereafter the Government Order was complied with.

3. Thereafter, the Sanitary Workers were brought on time scale of pay by G.O.Ms.No.386, Finance (Pension) Department, dated 01.10.2010 and the salary was fixed as 1,300 - 300 with grade pay of Rs.300/- and appropriate directions were also issued to regularise the services of the Sanitary Workers. However, their services are yet to be regularised and so also the salary. The petitioner has submitted representation dated 23.06.2011 and 11.05.2015 praying for regularisation as well as payment of salary and since no orders have been passed, came forward to file this writ petition.

4. Heard the submissions of Mr.K.Vasudevan, learned counsel appearing for the petitioner, Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of the first respondent and Mr.M.Digvijaya Pandian, learned Additional Government Pleader who accepts notice on behalf of the second respondent.

5. This Court taking into consideration the above facts and circumstances permits the petitioner Union to submit a comprehensive representation praying for regularisation of the services of the members of their Union in terms of G.O.Ms.No.386, Finance (Pension) Department, dated 01.10.2010 and also payment of salary within a period of two weeks from the date of receipt of a copy of this order to the respondents 1 and 2 who on receipt of the said representation are directed to consider the same on merits and in accordance with law and pass orders within a period of eight weeks thereafter and communicate the decision taken, to the petitioner.

6. The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

1 The District Collector
Villupuram.

2 Block Development Officer
Melmalayanor Panchayat Union Villupuram
District.

+1 cc to Mr.K.Vasudevan, Advocate, sr.51942
+1 cc to Mr.M.Digvijaya Pandian, Advocate, sr.52260
+1 cc to Government Pleader, sr.52197

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