

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.42510 of 2016

1.D.Dhanalakshmi
2.E.Dharman,
3.C.Lakshmi
4.S.Saleth Mary
5.P.Gowri
6.C.Malliga
7.K.Saroja
8.P.Senbaga Jothi
9.K.Prema Bai
10.N.Mohanavalli
11.M.Kohila
12.M.Jaya
13.T.Vijaya
14.M.Thilagam
15.D.Vijyakumari
16.G.Pushpalatha
17.S.Swaminathan
18.Anandhi Saroja
19.R.Umadevi
20.M.Jamuna
21.S.Prema
22.K.Dharani

... Petitioners

Vs.

- 1.The State of Tamil Nadu
Rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Director of Public Libraries,
Anna Salai, Chennai-600 002.
- 3.The District Library Officer,
Anna Salai,
Chennai District, Chennai.

4.The District Library Officer,
Anna Salai,
Thiruvallur District,
Thiruvallur.

5.The District Library Officer,
Anna Salai,
Coimbatore District,
Coimbatore.

6.The District Library Officer,
Anna Salai,
Thiruvannamalai & District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to regularise the service of the petitioners with Special Time Scale of pay in the post of Sweeper with effect from 15.09.2010 by extending the benefits of G.O.Ms.No.385, Finance (Pay Cell) Department, dated 01.10.2010 and in the light of the orders passed in G.O.(2D).No.129, School Education (Ni.Va.4(2)] Department, dated 31.05.2016, for similarly placed persons, with all consequential benefits and other attended benefits including arrears of salary, by considering the representation submitted by the petitioners, dated 06.08.2016, within a time frame to be fixed by this Court.

For Petitioners : Mr.G.Sankaran

For respondents : Mr.V.Anandhamoorthy, AGP (Edu)

* * * * *

ORDER

This writ petition has been filed by the petitioner, praying for issuance of a Writ of Mandamus, directing the respondents to regularise the service of the petitioners with Special Time Scale of pay in the post of Sweeper with effect from 15.09.2010 by extending the benefits of G.O.Ms.No.385, Finance (Pay Cell) Department, dated 01.10.2010, in the light of the orders passed in G.O.(2D).No.129, School Education (Ni.Va.4(2)] Department, dated 31.05.2016, for similarly placed persons, with all consequential benefits and other attended benefits including arrears of salary, by considering the representation submitted by the petitioners, dated 06.08.2016, within a time frame.

2. It is stated by the petitioners that they were appointed as part-time Sweepers in the Department of Public Libraries on consolidated pay and they are working in the said post for more than 20 years continuously. Since the petitioners have been

working on consolidated pay for several years, they made a claim for regularisation of their service with Time Scale of Pay. Further, as per G.O.Ms.No.385, Finance (Pay Cell) Department, dated 01.10.2010, the employees who have completed three years of service were granted special time scale of pay.

3.It is further stated by the petitioners that similarly placed employees filed writ petitions in W.P.Nos.9556 and 9557 of 2012 and based on the order of this Court, they were extended with the benefit under the said GO. Since the same benefits were given to the petitioners therein, they made representations dated 06.08.2016 and it was not considered by the respondents. Hence, the petitioners have come forward with the present writ petition.

4.Heard the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

5.Though the petitioners prayed for a larger relief, considering the facts and circumstances of the case and the submissions made on either side, without expressing any opinion on the merits of the claim made by the petitioners, this Court directs the 1st respondent to consider the representations dated 06.08.2016 given by the petitioners, in the light of the orders passed in G.O.(2D).No.129, School Education (Ni.Va.4(2)] Department, dated 31.05.2016, and to pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of.

No costs.

-Sd/-
Asst.Registrar

/true copy/

WEB COPY
Sub Asst. Registrar

SSV

To

- 1.The State of Tamil Nadu
Rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Director of Public Libraries,
Anna Salai, Chennai-600 002.
- 3.The District Library Officer,
Anna Salai,
Chennai District, Chennai.
- 4.The District Library Officer,
Anna Salai,
Thiruvallur District,
Thiruvallur.
- 5.The District Library Officer,
Anna Salai,
Coimbatore District,
Coimbatore.
- 6.The District Library Officer,
Anna Salai,
Thiruvannamalai & District.

+1 cc to Mr.G.Sankaran Advocate sr 71727
+1 cc to Government Pleader sr 71681

सत्यमेव जयते

W.P.No.42510 of 2016

svl(co)
aa06/01/2017

WEB COPY