

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.42741/2016

1.S.Manonmani
2.C.Jothimani
3.A.Ramasamy

... Petitioners

Vs.

1.The Secretary to Government
of Tamilnadu, Department of
School Education, Fort St George
Chennai 600 009.

2.The Director of Public Libraries
Government of Tamil Nadu
Office of the Director of the Public
Libraries, Anna Salai, Chennai-600 002.

3.The District Library Officer
Perambalur 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 grant special time scale of pay of Rs.1300-3000 + Grade Pay of Rs.300/- with effect from 15.09.2010 as per G.O.Ms.No.385, Finance [Pay Cell] Department dated 01.10.2010 with all consequential service and monetary benefits to the petitioners herein.

For Petitioners : Mr.M.Purushothaman

For R1 to R3 : Mr.K.Dhananjayan, Spl.GP

ORDER

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

2 The petitioners claim that they are working as Part Time Sweepers on consolidated pay for more than 10 years and in terms of G.O.Ms.385, Finance [Pay Cell] Department dated 01.10.2010, the employees who had completed three years of service, are eligible for special time scale of pay at Rs.1300-3000 + Grade pay of Rs.300/- with effect from 15.09.2010 and it is the specific claim of the petitioners that the District Library Officer, Salem, vide proceedings in Na.Ka.13/A/2016 dated 15.06.2016, had conferred such a

benefit in respect of similarly placed Part Time Sweepers. The petitioners, in this regard, has also submitted separate representations dated 26.09.2016 to the 3rd respondent and since it has not been considered and given disposal, they have come forward to file this writ petition.

3 The learned counsel for the petitioners would submit that it would be suffice that if the petitioners are granted consolidated pay and therefore, prays for appropriate orders.

4 Per contra, Mr.K.Dhananjayan, learned Special Government Pleader who accepts notice on behalf of the respondents has drawn the attention of this Court to the above cited Government Order and would submit that the said Government Order confers the benefit of Time Scale of Pay in respect of Daily Wage Workers and Workers who are receiving consolidated pay and admittedly, the petitioners are employed as Part Time Sweepers and they are not entitled to the benefit of the said Government Order.

5 Be that as it may, in the light of the limited scope of prayer sought for by the petitioners for disposal of the representations submitted by them and without going into the merits of the claims projected by the petitioners either in their representations or in this writ petition, directs the 3rd respondent to consider and dispose of the petitioners' representations dated 26.09.2016 on merits and in accordance with law and pass orders within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners.

6 The writ petition stands disposed of with the above direction. No costs.

-sd/-

Assistant Registrar

/ TRUE COPY /

Sub-Assistant Registrar

AP

To

1.The Secretary to Government
of Tamilnadu, Department of
School Education, Fort St George
Chennai 600 009.

2.The Director of Public Libraries
Government of Tamil Nadu
Office of the Director of the Public
Libraries, Anna Salai, Chennai-600 002.

3.The District Library Officer
Perambalur District.

+1 cc to the Government Pleader SR.NO. 72224
+2 cc to M/S.M.PURSHOTHAMAN Advocate SR.NO. 72116

WP.No.42741/2016

sk[co]

RD 01/01/2017



WEB COPY