

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.11.2016

CORAM :

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD)No.20692 of 2016

S.Saraswathy

... Petitioner

Vs.

1.The State of Tamil Nadu,
rep.by its Secretary to Govt.,
Adi Dravidar Welfare Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Commissioner,
Adi Dravidar Welfare Department,
Chepauk, Chennai - 600 005.

3.The District Adi Dravidar and
Tribal Welfare Officer,
Tirunelveli District,
Tirunelveli.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issue a Writ of Mandamus directing the respondents to sanction the time scale of pay from the date of issuance of the Government order in G.O.Ms.No.25, Adi Dravidar and Tribal Welfare (ADW.4) Department dated 25.02.2011 as stipulated by the 1st Respondent and pay its arrears till 31.03.2015 to the Petitioner within the time limit that may be stipulated by this Court.

For Petitioner : Mr.K.Gurunathan

For Respondents : Mr.T.S.Mohammed Mohideen
Additional Government Pleader

ORDER

This Writ Petition been filed, seeking a direction to the respondents to sanction the time scale of pay from the date of issuance of the Government order in G.O.Ms.No.25, Adi Dravidar and Tribal Welfare (ADW.4) Department dated 25.02.2011 and to pay arrears till 31.03.2015 to the petitioner.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

3.The petitioner was posted as a Cook under the control of the third respondent by the proceedings dated 23.02.2011 on consolidated pay of Rs.850/- per month. The Government issued G.O.Ms.No.25, Adi Dravidar and Tribal Welfare (ADW.4) Department dated 25.02.2011, bringing all Cooks, who were paid under consolidated pay into time scale of pay from the date of issuance of the said Government Order.

4.The grievance of the petitioner is that she was not granted the benefit of the above mentioned Government Orders as done in other Districts. Hence, she has submitted the representations dated 26.03.2013 and 13.02.2014, seeking for the benefit of the time scale of pay. But the third respondent effected time scale of pay only from 01.04.2015 and not from 25.02.2011. Therefore, the petitioner again made a representation dated 05.10.2016 to the respondents to sanction the benefit of time scale of pay from the date of issuance of the Government Order i.e., dated 25.02.2011. As no orders have been passed so far, this Writ Petition has been filed.

5.The learned Additional Government Pleader for the respondents would submit that the respondents will consider the representation of the petitioner and pass orders within a period of six weeks.

6.Accordingly, the respondents are directed to consider the representation of the petitioner dated 05.10.2016 and to pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

7.The Writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary to Govt.,

State of Tamil Nadu,

Adi Dravidar Welfare Department, Secretariat, Fort St.George,
Chennai - 600 009.

2.The Commissioner,

Adi Dravidar Welfare Department,
Chepauk, Chennai - 600 005.

3.The District Adi Dravidar and
Tribal Welfare Officer, Tirunelveli District,
Tirunelveli.

+1 cc to Mr.K.GURUNATHAN, Advocate, SR 67663

+1 cc to THE SPECIAL GOVERNMENT PLEADER, SR 67924

W.P (MD) No.20692 of 2016
10.11.2016

mj
SH/DB:09.12.2016:3P/6C