

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2017

CORAM :

THE HONOURABLE Mr.JUSTICE T.RAJA

W.P. No.31358 to 31361 of 2017

1.Sarangan	... Petitioner in W.P.No.31358 of 2017
2.K.Ramani	... Petitioner in W.P.No.31359 of 2017
3.S.Anjali	... Petitioner in W.P.No.31360 of 2017
4.T.Valli	... Petitioner in W.P.No.31361 of 2017

Versus

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

Writ Petitions have been filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 3rd respondent to consider and pass appropriate orders on the representations of the petitioners dated 12.09.2016 & 19.09.2016 regarding granting 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 and also in the light of G.O.(2D). No.101, School Education Department, dated 07.08.2015, with all consequential benefits.

For Petitioners : Mr.S.Selvathirumurugan
For Respondents : Mr.R.A.S.Senthilvel, AGP

COMMON ORDER

These writ petitions have been filed praying for issuance of a writ of Mandamus directing the 3rd respondent to consider the representations of the petitioners dated 12.09.2016 & 12.09.2016 respectively, seeking grant of 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 and also in the light of G.O.(2D).No.101, School Education Department, dated 07.08.2015, with all consequential benefits.

2.The 1st petitioner Sarangan (petitioner in W.P.No.31358 of 2017) was appointed as part-time sweeper in Branch Library, Thirumukudal, Kanchipuram on 01.02.1991 and since then, he has been working for more than 25 long years. The 2nd petitioner Ramani (Petitioner in W.P.No.31359 of 2017) was appointed as part-time sweeper in Branch Library, Perunagar, Kanchipuram in the year 1995 and since then she has been working in the said post for more than 23 long years. The 3rd petitioner S.Anjali (Petitioner in W.P.No.31360 of 2017) was appointed as part-time sweeper in Branch Library, Magaral Kanchipuram on 01.02.1995 and since then, she has been working in the said post for more than 23 long years. Similarly, the 4th petitioner K.Valli (Petitioner in W.P.No.31361 of 2017) was appointed as part-time sweeper in Branch Library, Cheyyur, Kanchipuram on 01.07.1994 and since then, she has been working in the said post for more than 24 long years.

3.While the petitioners are in continuous service, the Tamil Nadu Government has issued G.O.Ms.No.385, Finance (Pay Cell) Department, dated 01.10.2010, announcing a special time scale of pay for the employees who are working on daily wages or on consolidated pay for more than three years, by fixing the time scale of pay as Rs.1300-3000+Grade pay of Rs.300, with effect from 15.09.2010. Though the petitioners herein are working for more than 20 years, they have not been granted time scale of pay as per the said GO. One similarly placed person viz., Kannammal had filed a writ petition in W.P.No.3060/2014 before this Court to consider her representation seeking to grant time scale of pay and this Court by order dated 03.02.2014 directed the respondents to consider the representation of the petitioner in the light of G.O.Ms.No.385, dated 01.10.2010. It is also stated that the 1st respondent has issued G.O.(2D).No.101, School Education Department, dated 07.08.2015, following several judgments of this Court, to grant special scale of pay with effect from 15.09.2010 in accordance with G.O.Ms.No.385, dated 01.10.2010. Therefore, according to the learned counsel for the petitioners, the case of the petitioners should be considered on the basis of the said GO.

4.In similar circumstances, I have also passed an order in W.P.No.15444 & 15445 of 2017 (Kamalakannan and another Vs. Sate of Tamil Nadu and others), on 20.06.2017, directing the respondents to consider the pending representations of the petitioners on merits and pass appropriate orders.

5.Mr.R.A.S.Senthilvel, learned Additional Government Pleader, sought for time to consider the representations of the petitioners.

6.This Court, without going into the merits, hereby directs the 3rd respondent to consider the pending representations of the petitioners on merits and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, the writ petitions stand disposed of. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ssv
To

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

+4ccs to Mr.S.Selvathirumurugan, Advocate, S.R.No.85609 to 85612
+1cc to the Government Pleader, S.R.No.86388

W.P. No.31358 to 31361 of 2017

KJ(CO)
CS/04/01/18

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