

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 09.02.2017
CORAM:
THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
W.P.No.3179/2017

Vijayalakshmi

..

Petitioner

Vs

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.

... Respondents

Prayer:- Writ Petition 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 representation of the petitioner dated 12.09.2016 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 and also in the light of the Report submitted by the Librarian Branch, Library, Orathy dated 01.08.2016 with all consequential benefits.

For Petitioner : Mr.S.Selvathirumurugan

For Respondents: Mr.K.Dhananjayan, Spl.GP

सत्यमेव जयते
ORDER

By consent, the writ petition is taken up for final disposal. Mr. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the respondents.

2 The petitioner would aver that she was appointed as a Part-time sweeper in the Branch Library, Kanchipuram District with effect from 01.05.1989 and it was ratified by the 3rd respondent vide proceedings dated 01.02.1990 and claims that she is working in the said post for more than 27 years. The petitioner would further aver that as per G.O.Ms.No.385, Finance [Pay Cell] Department, dated 01.10.2010, the request of

similarly placed persons like that of the petitioner, has been considered and special time scale of pay in respect of the employees who are working on daily wage basis or consolidated pay, for more than three years, has been given by fixing the time scale of pay at Rs.1300-3000 + Grade pay Rs.300/- and Dearness Allowance was also granted to the employees. The grievance now expressed by the petitioner is that though she is similarly placed, the said benefit conferred in the said Government Order has not been given to her and in this regard, she has also submitted a representation dated 12.09.2016 to the 3rd respondent through proper channel and though it was received and acknowledged, so far no orders have been passed and therefore, came forward to file the present writ petition.

3 Mr.S.Selvathirumurugan, learned counsel for the petitioner has drawn the attention of this Court to the typed set of documents and would submit that in similar facts and circumstances, this Court, vide order dated 11.11.2016 made in WP.No.39475/2016 [K.Vasantha and 5 others Vs. The Principal Secretary to Government, School Education Department, Chennai-9 and 2 others], had directed the consideration of the representations submitted by the petitioners therein, in the light of the orders passed by this Court in WP.No.3060/2014 [K.Kannammal Vs. The Secretary to Government, School Education Department, Fort St George, Chennai-9 and 2 others] and prays for similar orders.

4 The Court heard the submissions of Mr.K.Dhananjayan, learned Special Government Pleader appearing for the respondents.

5 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 3rd respondent to consider and dispose of the petitioner's representation dated 12.09.2016 on merits and in accordance with law after taking note of the proposal/recommendation of the Librarian, Branch Library, Orathy dated 01.08.2016 as well as G.O.Ms.No.385, Finance [Pay Cell] Department dated 01.10.2010 and G.O.[2D] No.101, School Education Department dated 07.08.2015 as well as the above cited order dated 11.11.2016 made in WP.No.39475/2016 and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

AP

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.

+1 cc to Mr.S.Selvathirumurugan Advocate sr 8271
+1 cc to the Government Pleader sr 8877

W.P.No.3179/2017

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