

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 20.01.2017
CORAM:
THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN
W.P.Nos.1434 to 1450/2017

K.Vijaya	..Petitioner in W.P.No.1434/2017
G.Amudha	..Petitioner in W.P.No.1435/2017
V.Devi	..Petitioner in W.P.No.1436/2017
G.Geetha	..Petitioner in W.P.No.1437/2017
P.Jayavelu	..Petitioner in W.P.No.1438/2017
V.Kamatchi	..Petitioner in W.P.No.1439/2017
S.Kalaiselvi	..Petitioner in W.P.No.1440/2017
M.Kuttiyammal	..Petitioner in W.P.No.1441/2017
A.Lakshmanan	..Petitioner in W.P.No.1442/2017
K.Lakshmi	..Petitioner in W.P.No.1443/2017
M.Lakshmi	..Petitioner in W.P.No.1444/2017
M.Parimala	..Petitioner in W.P.No.1445/2017
M.Ponlakshmi	..Petitioner in W.P.No.1446/2017
Shayeedha	..Petitioner in W.P.No.1447/2017
M.Uma	..Petitioner in W.P.No.1448/2017
S.Vijaya	..Petitioner in W.P.No.1449/2017
K.Vijayalakshmi	..Petitioner in W.P.No.1450/2017

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Vs

1.The District Collector,
Vellore.

2.The District Elementary Educational Officer,
Office of the District Elementary Education,
Vellore District.

3.The Additional Asst. Elementary Educational Officer,
Office of the Asst.Elementary Education,
Thimiri Union, Thimiri,
Vellore District.

.. Respondents
in all the WPs

Common Prayer :- Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to pay the arrears of Salary from December 2014 and consequentially direct the respondents to regularise the petitioners' employment as sanitary workers.

For Petitioners in
all WPs : Mr.Krishna Ravindran

For Respondents : Mr.Dhananjayan, Spl.GP
all WP's

COMMON ORDER

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

2 The petitioners claim to have been working as Sanitary Workers in the following Schools:-

WP.No.	Name of the School and the place of working	With effect from
1434/2017	Panchayat Union Primary School, Ayiramangalam Village, Thimiri Union, Arcot Taluk, Vellore District	March 1993
1435/2017	Panchayat Union Primary School, Kannadipalayam Village, Thimiri Union, Arcot Taluk, Vellore District	01.07.2002

WP.No.	Name of the School and the place of working	With effect from
1436/2017	Panchayat Union Primary School, Vandikkal Village, Thimiri Union, Arcot Taluk, Vellore District	06.03.2003
1437/2017	Panchayat Union Primary School, K.Pudhur Village, Thimiri Union, Arcot Taluk, Vellore District	01.01.2003
1438/2017	Panchayat Union Primary School, Chinnathakkai Village, Thimiri Union, Arcot Taluk, Vellore District	07.08.2007
1439/2017	Panchayat Union Primary School, Melapazhantai Village, Thimiri Union, Arcot Taluk, Vellore District	01.08.1993
1440/2017	Panchayat Union Primary School, Vellambi Village, Thimiri Union, Arcot Taluk, Vellore District	20.07.2005
1441/2017	Panchayat Union Primary School, Paratharami Village, Thimiri Union, Arcot Taluk, Vellore District	01.07.2006
1442/2017	Panchayat Union Primary School, Pazhayanur Village, Thimiri Union, Arcot Taluk, Vellore District	02.08.2002
1443/2017	Panchayat Union Primary School, Varakur Village, Thimiri Union, Arcot Taluk, Vellore District	01.01.2005
1444/2017	Panchayat Union Primary School, Chittanthangal Village, Thimiri Union, Arcot Taluk, Vellore District	01.06.1993
1445/2017	Panchayat Union Primary School, Venkatapuram Village, Thimiri Union, Arcot Taluk, Vellore District	The year 2003

WP.No.	Name of the School and the place of working	With effect from
1446/2007	Panchayat Union Primary School, Pinnathangal Village, Thimiri Union, Arcot Taluk, Vellore District	28.01.2005
1447/2017	Panchayat Union Primary School, Kalavai Muslim Village, Thimiri Union, Arcot Taluk, Vellore District	January 2012
1448/2017	Panchayat Union Primary School, Mambakkam Village, Thimiri Union, Arcot Taluk, Vellore District	02.04.2005
1449/2017	Panchayat Union Primary School, Thimiri Kottai Village, Thimiri Union, Arcot Taluk, Vellore District	01.02.2007
1450/2017	Panchayat Union Primary School, Mazhaiyur Village, Thimiri Union, Arcot Taluk, Vellore District	02.08.2002

3 The petitioners would aver that their appointments as Sanitary Workers were also subsequently approved by the Resolution passed by the Local Body and they continue to work with a meager salary. It is the claim of the petitioners that their employment is continuous and some time, the salaries due and payable to them, have not been paid also and they repeatedly made representations to the 1st respondent through proper channel for regularisation of their services as Sanitary Workers and to confer all consequential benefits and despite the receipt and acknowledgment of the same, no orders have been passed and therefore, they came forward to file these writ petitions.

4 The learned counsel for the petitioners would contend that since the petitioners are working continuously as Sanitary Workers and performing their duties honestly and sincerely without any blemish and taking into consideration the long period of service rendered by them, their services ought to have been regularised and they should have been conferred with all consequential benefits and in spite of the representations submitted and acknowledged, no steps have been taken to

regularise their services and therefore, they are constrained to file these writ petitions. The learned counsel also expresses that even the meager salary due and payable to the petitioners, by virtue of their present employment, have not been paid.

5 Per contra, Mr.K.Dhananjayan, learned Special Government Pleader appearing for the respondents would contend that the petitioners, as a matter of right, cannot claim regularisation and their employment is only part-time in nature and as such, they are not entitled to be regularised and taking into consideration, the plea made by the learned counsel for the petitioner, the learned Special Government Pleader prays that appropriate direction may be issued to the respondents 2 and 3 to consider and dispose of the petitioners' representations as expeditiously as possible and in accordance with law.

6 This Court has carefully considered the rival submissions and also perused the materials placed before it.

7 Though the petitioners have 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 petitioners either in their respective representations or in these writ petitions, directs the respondents 2 and 3 to consider and dispose of the petitioners' individual representations dated 06.10.2016 [WP.Nos.1434 to 1437, 1439, 1440, 1442 to 1450/2017] ; 25.07.2015 [WP.Nos.1438 & 1441/2017] on merits and in accordance with law 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 petitioners.

8 In the light of the plea made by the learned counsel for the petitioners, the respondents 2 and 3 are further directed to pay the salaries, due and payable to the petitioners, if any, as expeditiously as possible and not later than four weeks from the date of receipt of a copy of this order.

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9 The writ petitions stand disposed of with the above directions. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

AP
To

1.The District Collector,
Vellore.

2.The District Elementary Educational Officer,
Office of the District Elementary Education,
Vellore District.

3.Additional Asst. Elementary Educational Officer,
Office of the Asst.Elementary Education,
Thimiri Union, Thimiri,
Vellore District.

+17 ccs to Mr.Krishna Ravindran Advocate sr 4041 to 4057
+1 cc to Government Pleader sr 4300

W.P.Nos.1434 to 1450/2017

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