IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2017

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

W.P. No.15615 of 2017

S. Vennila Petitioner

vs.

1 The Erode District Adi Dravidar and Tribal Welfare Officer
Erode District

2 The Special Tahsildar
(Adi Dravidar Welfare)
Sathyamangalam
Erode District Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to disburse the arrears of salary from the month of February 2012 till 06.12.2012 by disposing of the petitioner's written representation made on 02.05.2017 within a stipulated time.

For petitioner Mr. P. Immanuel Prakasam

For respondents Mr. M. Digvijaya Pandian
Additional Government Pleader

ORDER

Mr. M. Digvijaya Pandian, learned Additional Government Pleader, accepts notice for the respondents. With consent, this writ petition is taken up for final disposal, at the admission stage itself.

2 This writ petition has been instituted seeking a writ of mandamus directing the respondents to disburse to the petitioner, the arrears of her salary from the month of February 2012 till 06.12.2012 by disposing of her written representation dated 02.05.2017 within a stipulated time.

3 The petitioner was appointed by the first respondent as Watchman on 29.11.2006 in the Government Scheduled Tribal Girls Hostel, Sathyamangalam, Erode District, on consolidated pay through employment exchange on ad hoc basis. Noticing some anomaly in her pay fixation, the petitioner has addressed a

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representation dated 02.05.2017 to the second respondent requesting fixation of time scale of pay on the basis of G.O. (Ms.) No.234, Finance Department dated 01.06.2009 making it clear that her junior one M. Perinbaraj, who was appointed on 15.12.2006 for the very same post, has been given the benefit of regularisation by the respondents in May 2007 itself, whereas, the same benefit has not been extended to her, albeit, she is senior. Inasmuch as the said representation has been remaining unconsidered, the petitioner has preferred this writ petition seeking the aforestated relief.

4.The learned Additional Government Pleader submitted that there is no proof for submission of the petitioner's representation dated 02.05.2017 and hence, the petitioner may be directed to submit a fresh representation within a time frame and in the event, the petitioner makes a representation, the same shall be considered by the second respondent within a time frame.

5.In view of the above submission made by the learned Additional Government Pleader, the petitioner is directed to address a fresh representation to the second respondent within a period of one week from the date of receipt of a copy of this order and within a period of six weeks from the date of receipt of the petitioner's representation, the second respondent shall consider and pass orders on the same on its own merits and in accordance with law.

With the above directions, this writ petition stands disposed of. Costs made easy.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1 The Erode District Adi Dravidar and Tribal Welfare Officer
Erode District.

2 The Special Tahsildar
(Adi Dravidar Welfare)
Sathyamangalam
Erode District.

+1cc to Immunauel Prakasam, Advocate SR.No.43794
+1cc to Government Pleader, SR.No.44196

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MG(CO)
GN(03/07/2017)

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