

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.06.2017

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. No.16012 of 2017

1.P.Kaveri
2.V.Hemalatha
3.T.Lalitha
4.A.Balakrishnan
5.Vijayarani Selvaraj ... Petitioners

Vs.

1.Government of Tamil Nadu,
Represented by Secretary to Government,
Health and Family Welfare Department,
Secretariat, Chennai - 600 009.
2.The Director of Public Health and
Preventive Medicine,
Chennai - 600 006.
3.The Deputy Director of Health Services,
Tiruppur, Tiruppur District. ... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to implement G.O.Ms.No.385 Finance (Pc) Department, dated 01.10.2010 to them and fix the pay of the petitioners in the time scale of pay of Rs.1300-3000+G.P.Rs.300, w.e.f. 15.09.2010, in the case of petitioners 2 and 5 and from the respective date of completion of 3 years of service in the case of the other petitioners and to disburse the consequential monetary benefits to the petitioners herein.

For Petitioners : Mr.M.Ravi

For Respondents : Mr.P.Sanjay Gandhi
Additional Government Pleader

O R D E R

By consent, this Writ Petition is taken up and disposed of at the stage of admission itself.

2. The petitioners have come to this Court seeking a direction to the respondents to implement G.O.Ms.No.385 Finance

(Pc) Department dated 01.10.2010 to them and fix the pay of the petitioners in the time scale of pay of Rs.1300-3000+G.P.Rs.300/-, w.e.f. 15.09.2010, in the case of petitioners 2 and 5 and from the respective date of completion of three years of service in the case of the other petitioners and to disburse the consequential monetary benefits to the petitioners herein.

3. The petitioners were appointed on consolidated basis as Sweepers in Reproductive and Child Health Care (RCH) in the Government Primary Health Centres in Tiruppur District from the years 2009 to 2011 onwards. In the meanwhile, the Government has issued G.O.Ms.No.385 Finance (Pc) Department dated 01.10.2010 stating that Sweepers, who are working in Government Offices and local bodies on daily wages and consolidated pay basis for more than three years, shall be placed in the special time scale of pay of Rs.1300-3000 + Rs.300/-G.P. w.e.f. 15.09.2010. On 28.07.2014, the Government has also issued a direction to the Director of Public Health and Preventive Medicine, Chennai, to implement the above said Government Order and the same has not been considered. Thereafter, the petitioners submitted representation dated 04.12.2016 before the first respondent seeking to implement G.O.Ms.No.385, Finance (Pc) Department dated 01.10.2010 in their cases by placing them in special time scale of pay sanctioned therein. But till date no orders have been passed and hence, the petitioners are before this Court.

4. Heard Mr.M.Ravi, learned counsel appearing for the petitioners and Mr.P.Sanjay Gandhi, learned Additional Government Pleader appearing for the respondents, who sought reasonable time to consider the representation made by the petitioners.

5. Considering the limited relief sought for by the petitioners, this Court directs the petitioners to submit their representations afresh within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the first respondent is directed to consider the same and pass appropriate orders, on merits and in accordance with law, within a period of four weeks thereafter.

6. With this direction, the Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sri

To

1.The Secretary,
Government of Tamil Nadu,
Health and Family Welfare Department,
Secretariat, Chennai - 600 009.

2.The Director of Public Health and
Preventive Medicine,
Chennai - 600 006.

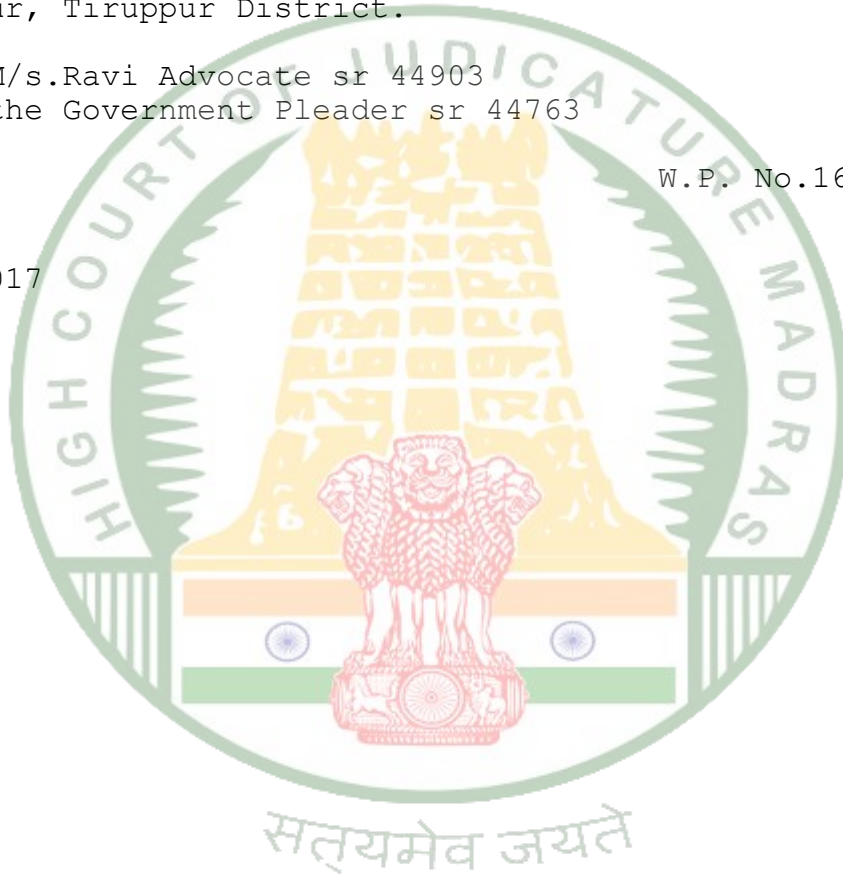
3.The Deputy Director of Health Services,
Tiruppur, Tiruppur District.

+1 cc to M/s.Ravi Advocate sr 44903

+1 cc to the Government Pleader sr 44763

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