

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.16233 of 2017

S.Sampath

.. Petitioner

-vs-

1. The Principal Secretary to Government
School Education Department
Fort St.George
Chennai 600 009
 2. The Director of Public Libraries
Anna Salai
Chennai
 3. The District Library Officer
Collectorate Compound
Villupuram
- .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, to direct the first respondent to consider the representation of the petitioner dated 13.03.2017 for grant of Special Time Scale of Pay of Rs.1300-3000+Grade Pay of Rs.300 as per G.O.Ms.No.385 Finance (Pay Cell) Department dated 01.10.2010 and in the light of G.O. (2D) No.129 School Education (Ni.Va.4(2) Department dated 31.05.2016 and as per G.O.(2D) No.239 School Education (Ni.Va.4 (2) Department dated 07.09.2016 and pass orders within a stipulated period of time.

For Petitioner :: Mr.R.Prem Narayan

For Respondents :: Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

The petitioner was appointed as part-time Sweeper on consolidated pay at Thirukoilur Branch Library, Villupuram District on 23.9.87. Since then, he has been continuously working without any interruption. In the meanwhile, the Government issued G.O.Ms.No.385 Finance (Pay Cell) Department dated 1.10.2010 making it clear that the Sweepers working on daily wage basis or on consolidated pay are to be granted with special time scale of pay of Rs.1300-3000+ Grade Pay of Rs.300 along with dearness allowance payable to Government employees with an annual increment of 3% of basic pay and grade pay. Since the petitioner has fulfilled all the conditions mentioned in the said G.O.Ms.No.385 dated 1.10.2010 for grant of the special time scale of pay of Rs.1300-3000+Grade Pay of Rs.300 as granted to similarly placed part time Sweepers working in the branch libraries in the districts of Salem, Krishnagiri, Villupuram and Cuddalore, the respondents, having considered a similar prayer in respect of others, failed to extend the same benefit to the petitioner. Therefore, he has been advised to come to this Court seeking to consider his representation.

2. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, taking notice on behalf of the respondents, sought eight weeks time to consider the petitioner's representation.

3. This Court, considering the limited prayer, hereby directs the first respondent to consider the representation of the petitioner, whether he fulfils the conditions mentioned in G.O.Ms.No.385 Finance (Pay Cell) Department dated 1.10.2010 and if the petitioner complies with all the requirements, the first respondent shall extend the benefit of special time scale of pay, taking into account the services rendered by the petitioner as part-time Sweeper, within a period of eight weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ss

To

1. The Principal Secretary to Government
School Education Department
Fort St.George
Chennai 600 009

2. The Director of Public Libraries
Anna Salai
Chennai

3. The District Library Officer
Collectorate Compound
Villupuram

+1cc to M/s.R.Premnarayan, Advocate, S.R.No.45027/2017

+1cc to the Government Pleader, S.R.No.45784/2017

W.P.No.16233 of 2017

AR(CS IV)
CU(11/07/2017)



WEB COPY