

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.44683 of 2016 &

WMP.No.38526 of 2016

A.Muthulakshmi ..Petitioner

Vs

- 1.The Govt. of Tamil Nadu,
Rep. by its Secretary,
Backward Class and Noon Meal Programme Department,
Fort St George, Chennai - 600 009.
- 2.The Director,
Directorate of Back ward Classes Welfare Department,
Chepauk, Chennai - 600 005.
- 3.The District Backward Classes and Minority
Welfare Office, Ariyalur and District.
- 4.The Warden,
The Backward Class School Girls Hostel,
Elakurichi, Ariyalur and Dist. 621 715. ..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents 2 and 3 to regularise the service of the petitioner as Sweeper in the 4th respondent [Government Backward Class School (Girls) Hostel] in terms of the order issued by the 1st respondent in G.O.Ms.No.151 dated 16.10.2008 and pay time scale pay from 02.08.2015.

For Petitioner	: Mr.V.Krishnamurthy
For Respondents	: Mr.K.Dhananjayan, Spl.GP

O R D E R

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

2. The petitioner claims that she is a physically disabled (Ortho) person and she studied upto 8th standard and got registered her name in the District Employment Exchange office with physically disabled person priority category. The petitioner also claims that she belongs to SC community and she was given appointment as part time sweeper on a consolidated salary of Rs.2000/- per month and she was posted in Government Most Backward Class School Girls Hostel, Elakurichi. According to the petitioner, as per G.O.Ms.No.151 Social Welfare and Noon Meals Department dated 16.10.2008, the services rendered by persons on consolidated pay were ordered to be regularised and since the petitioner has completed two years of service as sweeper on 01.08.2015, she is entitled to be regularised and in this regard, she has also sent representations dated 14.12.2015 and 05.04.2016 to the respondents 2 and 3. Despite receipt and acknowledgment, no order has been passed and hence the petitioner came forward to file the present writ petition.

3. Heard the submissions of the learned counsel for the petitioner and Mr.K.Dhananjayan, learned Special Government Pleader appearing for the respondents.

4. 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 either in his representation or in this writ petition, directs the respondents to consider the representations of the petitioner dated 14.12.2015 & 05.04.2016, on merits and in accordance with law and pass appropriate orders, within a period of ten (10) weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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5. The writ petition stands disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary,
Govt. of Tamil Nadu,
Backward Class and Noon Meal Programme Department,
Fort St George, Chennai - 600 009.
- 2.The Director,
Directorate of Back ward Classes Welfare Department,
Chepauk, Chennai - 600 005.
- 3.The District Backward Classes and Minority
Welfare Office, Ariyalur and District.
- 4.The Warden,
The Backward Class School Girls Hostel,
Elakurichi, Ariyalur and Dist. 621 715.

+1cc to Mr.V. Kreshnamurthy, Advocate, S.R.No.362
+1cc to the Government Pleader, S.R.No.774

cnr(CO)
md(24/01/2017)

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