IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.03.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. No.4750 of 2018

1.Srinivasalu
2.M.Chakrapani
3.T.Robin
4.M.Udayakumar
5.R.Vadivel
6.S.K.Ragunath
7.E.Dhanasekar
8.M.Munusamy
9.S.Lokesh
10.C.Sugunammal
11.M.Chinnayya
12.V.Raja
13.E.Prabudass
14.B.Johnson .. Petitioners

Vs.

1.The State Government of Tamil Nadu,
Rep. by its Secretary,
Rural Development and Local Administration,
Secretariat, Chennai - 600 009.

2.The Commissioner,
Corporation of Chennai,
Chennai - 600 003.

3.The Block Development Officer,
Kundrathur Panchayat Union,
Padapai, Thiruvallur District.

4.The Assistant Commissioner,
Zone - 12, Chennai Corporation,
Alandur, Chennai - 600 016. .. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the second respondent to fix the salary for the petitioners herein in the special time scale of pay as per the order of the Government G.O.Ms.No.385 Finance Department dated 01.10.2010 with all consequential benefit.

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

For Petitioners : Mr.A.Kalaiselvan
For Respondent No.1 : Mr.R.S.Selvam
Government Advocate
For Respondent No.2 & 4 : Mr.R.Arunmozhi
For Respondent No.3 : Mr.N.Sakthivel
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 are again come to this Court after obtaining an order dated 05.06.2013 passed in W.P.No.13034 of 2013 directing the second respondent Corporation to pass appropriate orders on their representations dated 16.04.2013 in the light of G.O.Ms.No.385 Finance Department, dated 01.10.2010 within a period of 12 weeks, seeking one another direction to consider and pass appropriate orders on the pending proposal.

3. The learned counsel appearing for the petitioners submitted that the petitioners were all Sweepers in the Corporation of Chennai on consolidated basis. They sent common representation dated 15.04.2017 to the second respondent seeking regularisation on the basis of G.O.Ms.No.385 Finance Department, dated 01.10.2010. Finding no response, they came to this Court, seeking mandamus directing the second respondent to fix their salary in the special time scale of pay as per the order of the Government G.O.Ms.No.385 Finance Department, dated 01.10.2010 with all consequential benefits.

4. A perusal of the letter dated 27.06.2016 shows that the consolidated proposal in respect of regularizing the employees, who have been absorbed from 42 Urban Local Bodies by the Chennai Corporation has been received from the Commissioner, Greater Chennai Corporation on 05.05.2016 and the same is under consideration of the Government. But till date no order has been passed.

WEB COPY

5. Heard Mr.A.Kalaiselvan, learned counsel appearing for the petitioners, Mr.Mr.R.Arunmozhi, learned counsel appearing for the respondents 2 and 4, Mr.N.Sakthivel, learned Additional Government Pleader appearing for the third respondent and Mr.R.S.Selvam, learned Government Advocate appearing for the first respondent, who sought reasonable time to consider the common representation made by the petitioners.

6. Considering the limit relief sought for by the

https://hcservices.ecourts.gov.in/hcservices/

petitioners and the letter dated 27.06.2016 shows that the proposal is pending for long time and keeping in mind the petitioners are only working as sweepers without the benefit of regularisation, this Court directs the first respondent to consider the common representation of the petitioners dated 15.04.2017 and pass appropriate orders in the light of G.O.Ms.No.385 Finance Department, dated 01.10.2010, within a period of six weeks months from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sri
To

1.The Secretary,
Government of Tamil Nadu,
Rural Development and Local Administration,
Secretariat, Chennai - 600 009.

2.The Commissioner,
Corporation of Chennai,
Chennai - 600 003.

3.The Block Development Officer,
Kundrathur Panchayat Union,
Padapai, Thiruvallur District.

4.The Assistant Commissioner,
Zone - 12, Chennai Corporation,
Alandur, Chennai - 600 016.

WEB COPY

+1cc to Mr.R.Arunmozhi, Advocate, S.R.No.16997
+1cc to Mr.A.Kalai selvam, Advocate, S.R.No.16921
+1cc to the Government Pleader, S.R.No.16715

W.P. No.4750 of 2018

rj(CO)
GSP(23/03/2018)

https://hcservices.ecourts.gov.in/hcservices/