

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED:03.01.2018

CORAM:

THE HON'BLE MR. JUSTICE T. RAJA

W.P. No.34368 of 2017

1 G. Sitapathy
2 H. Habib Basha

Petitioners

vs.

1 The State of Tamil Nadu
represented by its Additional Chief Secretary
to Government
Secretariat
Home Department
Fort St. George, Chennai 600 009

2 The Director General of Police
Tamil Nadu
Dr. Radhakrishnan Salai
Mylapore
Chennai 600 004

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to give effect to the regularisation of services of the petitioners in the post of Data Entry Operators with effect from 14.02.2005 respectively and to upgrade their posts by re-designation as Assistant Programmers commensurate to their qualifications in terms of G.O.Ms.No.339, Finance (PC) Department dated 26.08.2010 and grant them all monetary benefits.

For petitioners Mr. M. Ravi
For respondents Mr. R.A.S. Senthilvel
Additional Government Pleader

ORDER

Mr. R.A.S. Senthilvel, 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 preferred seeking a writ of mandamus directing the respondents to give effect to the regularisation of services of the petitioners in the post of Data Entry Operators with effect from 14.02.2005 and to upgrade their posts by re-designation as Assistant Programmers

commensurate to their qualifications in terms of G.O. Ms.No.339, Finance (PC) Department dated 26.08.2010 and grant them all monetary benefits.

3 Both the petitioners were appointed during 2005 as Data Entry Operators on consolidated pay by virtue of appointment on compassionate ground pursuant to the demise of the breadwinner of their respective family. The petitioners were also brought into time scale of pay with effect from 01.05.2007 vide G.O. (4D) No.52, Home (Police XV) Department dated 22.06.2007. Thereafter, their services were also regularised vide G.O.(Ms.) No.220, Home (Police XV) Department dated 18.02.2016. Since they were regularised only from 2007 onwards instead of from the date of their initial appointment, they have addressed a representation dated 11.09.2017 making two requests, viz., regularisation with effect from the date of initial appointment and also provision of promotional opportunity to the post of Assistant Programmers in the light of G.O.Ms.No.339, Finance (Pay Cell) Department dated 26.08.2010. The said representation is still under consideration. Hence, the present writ petition seeking the aforesaid relief.

4 The learned Additional Government Pleader sought eight weeks time to consider and pass orders on the petitioners' representations dated 11.09.2017.

5 Considering the fact that the services of the petitioners have been regularised and they seek re-designation and monetary benefits in terms of G.O. Ms.No.339, Finance (Pay Cell) Department dated 26.08.2010, this Court grants four weeks time to the respondents to consider and pass orders on the petitioners' representation dated 11.09.2017 on its own merits and also in the light of the said Government Order.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

cad

To

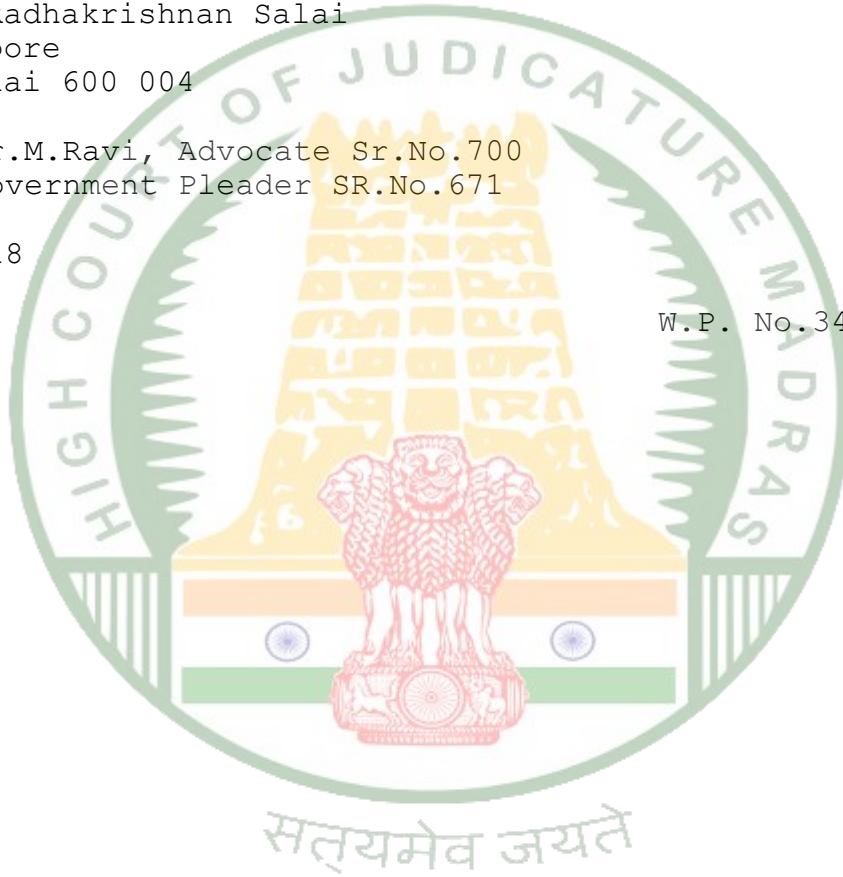
1 The Additional Chief Secretary
to Government
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2 The Director General of Police
Tamil Nadu
Dr. Radhakrishnan Salai
Mylapore
Chennai 600 004

+1CC to Mr.M.Ravi, Advocate Sr.No.700
+1cc to Government Pleader SR.No.671

sm:5.2.2018

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