

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2018

CORAM

THE HON'BLE Mr. JUSTICE V.PARTHIBAN

W.P.No.28567 of 2016

M.P.No.644 of 2018

1.I.Suresh
2.M.Mannammal
3.S.Srinivasan
4.R.Pandian

... Petitioners

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 - 600 002.

3. The District Library Officer,
Vellore District.

... Respondents

Prayer : Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus, directing the respondents to grant special time scale of pay of Rs.1300-3000 + Grade Pay Rs.300 to the petitioners as per G.O.Ms.No.385, Finance (Paycell) Department dated 01.10.2010, within a stipulated period.

For Petitioners: Mr.R.Prem Narayan

For Respondents: Mr.T.M.Pappiah
Special Government Pleader

O R D E R

Heard Mr.R.Prem Narayan, learned Counsel appearing for the petitioners and Mr.T.M.Pappiah, learned Special Government Pleader appearing for the respondents.

2.The petitioners have approached this Court for seeking the following relief,

"To issue a Writ of Mandamus, directing the respondents to grant special time scale of pay of Rs.1300-3000 + Grade Pay Rs.300 to the petitioners as per G.O.Ms.No.385, Finance (Paycell) Department dated 01.10.2010, within a stipulated period."

3. The case of the petitioner is as follows:

The petitioners are all working as Part Time Sweepers in the various Branch Libraries in Vellore District. They have been working on various dated from 1987, 1997 to 2001. The details of their employment have been given in the tabular column filed along with the affidavit.

SI. No.	Name	Designation	Date of Initial Appointment	Place of Working
1.	L.Suresh	Part Time Sweeper	07.05.2001	Branch Library, Wallajapet, Vellore District.
2.	M.Mannammal	Part Time Sweeper	01.06.1987	Branch Library, Arcot, Vellore District.
3.	S.Srinivasan	Part Time Sweeper	19.06.1997	Branch Library, Gudiyatham, Vellore District.
4.	R.Pandian	Part Time Sweeper		Branch Library, K.V.Kuppam, Vellore District.

4. According to the petitioners the Government issued G.O.Ms.No.385, Finance (Paycell) Department dated 01.10.2010, wherein Sweepers working either on daily wage basis or on consolidated pay basis were granted Special time scale of pay of Rs.1300 - 3000 + G.P. Rs.300 along with Dearness Allowance + Annual increment. The Government also prescribed certain conditions for grant of Special time scale of pay.

5. The above said benefits are also extended to the Part Time Sweepers like the petitioners herein. In the said circumstances, the petitioners appeared to have submitted number of representations for the extension of the above said benefits of G.O.Ms.No.385, Finance (Paycell) Department, dated 01.10.2010. However, the representations have not been disposed of.

6. When the matter was taken up for hearing, the learned counsel appearing for the petitioners would submit that the representation dated 20.07.2016 addressed to the first respondent may be directed to be disposed of, within a

stipulated time that may be fixed by this Court.

7.Since, the direction sought for is only limited in its scope, for which, the learned Special Government Pleader, who has taken notice in this matter, cannot have any valid objection, the Writ Petition is disposed of with a direction to the first respondent to consider and dispose of the representation of the petitioners dated 20.07.2016, on merits and in accordance with law, within a period of ten weeks from the date of receipt of a copy of this order.

8.With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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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 - 600 002.
3. The District Library Officer,
Vellore District.

+1 CC to Mr.R. Premnarayanan, Advocate sr 7921.
+1 CC to The Govt. Pleader sr 9030.

W.P.No.28567 of 2016
&
M.P.No.644 of 2018

GMR(CO)
RRK(09/02/2018)