

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2018

CORAM

THE HON'BLE Mr. JUSTICE V.PARTHIBAN

W.P.No.28568 of 2016

1.S.Balasundaram
2.K.Gnanasekaran
3.G.Lalitha
4.M.Velmurugan
5.S.Mohan
6.M.Selvan

.... 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.

... 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: Ms.K.Buvaneswari
Additional Government Pleader

O R D E R

Heard Mr.R.Prem Narayan, learned Counsel appearing for the petitioners and Ms.Buvaneswari, learned Additional 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 petitioners is as follows:

The petitioners are all working as Part Time Sweepers in various Branch Libraries in various District. They have been working on various dates from 1994 and 1999 to 2001. The details of their employment have been given in the tabular column filed along with the affidavit, which reads as follows:

SI. No.	Name	Designation	Date of Initial Appointment	Place of Working
1.	S.Balasundaram	Part Time Sweeper	10.08.2000	Branch Library, Oduvampalayam, Namakkal District.
2.	K.Gnanasekaran	Part Time Sweeper	20.06.2001	Branch Library, Erumaipatti, Namakkal District
3.	G.Lalitha	Part Time Sweeper	28.04.1994	Branch Library, Thottiyam, Tiruchirappalli District
4.	M.Velmurugan	Part Time Sweeper	03.01.2001	Branch Library, Kattuputhur, Tiruchirappalli District
5.	S.Mohan	Part Time Sweeper	29.11.1999	Branch Library, Kuppuchipalayam, Karur.
6.	M.Selvan	Part Time Sweeper	29.11.1999	Office of the District Library Officer, Karur

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 extension of the above said benefits of G.O.Ms.No.385, Finance (Paycell) Department, dated 01.10.2010. However, the said 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 23.07.2016 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 23.07.2016, 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.

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.

+1 CC to Mr.R. Premnarayanan, Advocate sr 7922.

W.P.No.28568 of 2016

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