

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.29983 of 2018

Arivalzhagan

.... Petitioner

Vs

1.The Director of Adi Dravidar Welfare
Ezhilagam, Chepauk, Chennai-600 005

2.The District Adi Dravidar and Tribal Welfare
Department, Perambalur District.

.... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay the petitioner his salary with arrears from date of appointment on 31.10.2007 to 24.02.2011 (after which the petitioner was granted time scale of pay) deducting Rs.850/- per month, paid as consolidated salary from 31.10.2007 to 24.02.2011 as per G.O.Ms.No.25 (A.D.T and W) dated 25.02.2011.

For Petitioner : M/s.S.A.Udayakumari

For Respondent : Mr.K.Rajendra Prasad

Additional Government Pleader

O R D E R

This writ petition is filed seeking a direction to the respondents to pay the petitioner his salary with arrears from date of appointment on 31.10.2007 to 24.02.2011 (after which the petitioner was granted time scale of pay) deducting Rs.850/- per month, paid as consolidated salary from 31.10.2007 to 24.02.2011 as per G.O.Ms.No.25 (A.D.T and W) dated 25.02.2011.

2. The petitioner was appointed as cook at Government College Girls Hostel, Perambalur District on 29.10.2007 and he is presently working as Servant-cum-Watchman (SCW) at Ammapalayam Girls Hostel, Perambalur District on a consolidated salary of Rs.850/- per month. By G.O.Ms.No.25 (A.D.T & W) dated 25.02.2011, the Government ordered time scale of pay of Rs.4800 - Rs.10,000/- + Grade Pay of Rs.1300/- per month to be given to Cooks / Watchmen / Watchwomen and other basic servants, who were getting Rs.500 (or) Rs.850/- per month, from their dates of initial appointments. By virtue of the said government order, the petitioner was put on the above time scale of pay from 25.02.2011.

3. The petitioner is now seeking relief in terms of G.O.Ms.No.25 dated 25.02.2011, as he is entitled to payment of salary as per time scale of pay from the date of his appointment ie., from 31.10.2007 and in this connection, the petitioner has submitted a representation to the respondent 09.09.2016, which has not been considered till date. Hence, the present writ petition by the petitioner. Learned counsel for the petitioner submits that the petitioner's name has also been included in the order granting time scale of pay from the date of appointment.

4. Mr.K.Rajendra Prasad, learned Additional Government Pleader takes notice for the respondents.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. In view of the limited relief sought for, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would be suffice to direct the respondents to consider the representation of the petitioner dated 09.09.2016 and pass orders on the same within a particular time frame.

7. In the above circumstances, this writ petition is disposed of directing the 1st respondent to consider the representation of the petitioner dated 09.09.2016 and pass orders thereon, in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Kst

To

1.The Director of Adi Dravidar Welfare, Ezhilagam, Chepauk, Chennai-600 005

2.The District Adi Dravidar and Tribal Welfare Department, Perambalur District.

+1cc to Government Pleader sr.no.78281

+1cc to M/s.S.A.Udayakumari, Advocate sr.no.78465

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nr 03/01/2019