



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.11.2019

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.21397 of 2019

A.Kuppusamy

...Petitioner

vs.

1.The Commissioner of Social Welfare,
Commissioner of Social Welfare,
Panagal Maligai, II Floor, Chennai - 600 015.

2.The District Scheme Officer,
Dharmapuri District, Dharmapuri.

3.The Child Development Scheme Officer,
Palacode, Dharmapuri District.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of a Writ of Mandamus, to direct the 1st respondent to consider the petitioner's representation dated 19.05.2018 and 28.06.2019 based on the recommendations of 2nd and 3rd respondents.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.R.S.Selvam
Government Advocate

ORDER

The Writ Petition has been filed by the petitioner seeking direction to direct the first respondent to consider the petitioner's representation dated 19.05.2018 and 28.06.2019 based on the recommendations of respondents 2 and 3.

2.The case of the petitioner is that the petitioner working as Office Assistant (Night Watchman) of the working women's Hostel, Hosur in the District Social Welfare Office in the year 1982. The petitioner joined the service of the Social Welfare Department and then the petitioner service was regularized with



effect from 25.11.1982 and the petitioner should have got selection grade with effect from 25.11.1992, however, the petitioner was not given selection grade. The first respondent by his order dated 14.09.1999 accorded selection grade to the petitioner in the time scale of pay with effect from 01.10.1994. The petitioner's service was regularized with effect from 25.11.1982, thus on completion of 10 years of service, the respondents ought to have given selection grade to the petitioner on 25.11.1992. The petitioner has lost 2 years service without any explanation. On completion of 20 years of service, the petitioner is entitled to special grade. The first respondent by his proceedings dated 31.08.2006 awarded special grade with effect from 01.10.2004. Since the selection grade was awarded on 01.10.1994, the petitioner's special grade also got delayed and there is no reason for the delayed up gradation. Realising the anomaly, the third respondent by his letter dated 22.01.2014, requested the second respondent to take note of the anomaly and set right the same. In order to avail such benefits, the petitioner made representations dated 19.05.2018, 31.07.2018 and 28.06.2019. However, till date the representations were not considered. Hence, the present Writ Petition has been filed before this Court.

3.The learned counsel appearing for the petitioner would submit that it would suffice if this Court issues direction to the first respondent to consider the representation dated 28.06.2019 submitted by the petitioner and to dispose of the same within a reasonable time as fixed by this Court.

4.Without going into the merits of the case, I am inclined to issue direction to direct the first respondent to consider the representation dated 28.06.2019 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

pam

2/3



To

1.The Commissioner of Social Welfare,
Commissioner of Social Welfare,
Panagal Maligai, II Floor, Chennai - 600 015.

2.The District Scheme Officer,
Dharmapuri District, Dharmapuri.

3.The Child Development Scheme Officer,
Palacode, Dharmapuri District.

+lcc to Government Pleader sr97068

W.P.No.21397 of 2019

aa27/12/2019