

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.28538 of 2019

- 1.S.Arulnathan
- 2.J.Jayachandran
- 3.P.Rajavelu
- 4.A.Manimaran
- 5.M.Anbumani
- 6.K.Velmurugan
- 7.R.Deepa
- 8.M.Dhanesh Kumar
- 9.M.Sampath
- 10.E.Jaganathan
- 11.N.Dharani
- 12.V.Saravanan
- 13.M.Shankar

.... Petitioners

Vs.

- 1.Government of Tamil Nadu,
Represented by its Deputy Secretary,
Adi Dravidar and Tribal Welfare Department,
Fort St. George, Chennai - 600 009.
- 2.The Director,
Adi Dravidar Welfare Department,
Chepauk, Chennai - 600 005.
- 3.The District Adi Dravidar Welfare Officer,
Vellore - 632 009,
Vellore 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 consider the representation dated 24.11.2018 and 20.12.2018 of the petitioners and to grant them special time scale of pay of Rs.1300-300+grade pay of Rs.300 on completion of three years of service on consolidated pay as per G.O.Ms.No.385, Finance (Pay Cell) Department dated 01.10.2010 and in the light of the order dated 04.12.2017 passed in W.P.No.31358 to 31361 of 2017 with all consequential service and monetary benefits within a time limit.

For Petitioners : Mr.S.Chellapandian
Standing Counsel
for Mr.S.Mani

For Respondents : Ms.M.Lalitha
Government Advocate

O R D E R

The prayer sought for in the Writ Petition is to direct the respondents to consider the representation of the petitioners dated 24.11.2018 and 20.12.2018 and to grant them special time scale of pay of Rs.1300-300+grade pay of Rs.300 on completion of three years of service on consolidated pay, as per G.O.Ms.No.385, Finance (Pay Cell) Department dated 01.10.2010 and in the light of the order dated 04.12.2017 passed in W.P.Nos.31358 to 31361 of 2017 with all consequential service and monetary benefits within a time limit.

2.By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3.The case of the petitioners is that the petitioners joined in the services of the Adi Dravidar Welfare Department as Sweepers in various schools across Vellore District on consolidated pay basis after their names were sponsored by the employment exchange. The petitioners joined the post of Sweeper during the month of September/October 2015. As per G.O.Ms.No.385, Finance (Pay Cell) Department dated 01.10.2010, employees who are working on daily wage or on consolidated pay for more than three years are entitled to special time scale of pay by fixing the time scale of pay as Rs.1300-300+ grade pay of Rs.300/-. For which the petitioners made representation dated 24.11.2018 and 20.12.2018 in order to avail such benefit in respect of G.O.Ms.No.385, Finance (Pay Cell) Department dated 01.10.2010. However, till date the representation sent by the petitioners were not considered. Hence, the petitioners have come out with the present Writ Petition.

4.The learned counsel for the petitioners would submit that it would be suffice to issue direction to the first respondent to consider the representation sent by the petitioners and pass orders on the same.

5.Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioners, I am inclined to issue direction to the first respondent to enable the second and third respondents to consider the representation of the petitioners dated 24.11.2018

and 20.12.2018 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1. The Deputy Secretary,
Government of Tamil Nadu,
Adi Dravidar and Tribal Welfare Department,
Fort St. George, Chennai - 600 009.

2. The Director,
Adi Dravidar Welfare Department,
Chepauk, Chennai - 600 005.

3. The District Adi Dravidar Welfare Officer,
Vellore - 632 009,
Vellore District.

+2cc to Mr.S.Mani, Advocate Sr.83400
+1cc to the Government pleader Sr.84509

W.P.No.28538 of 2019

kk[col
srg 21/11/2019

सत्यमेव जयते

WEB COPY