

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.29222 of 2019
and
W.M.P.No.29021 of 2019

M.Jothy

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. by Secretary to the Government,
School Education Education,
Fort St.George,
Chennai-600 009

2.The Director of Public Libraries,
Anna Salai, Chennai-2

3.The District Library Officer,
Vellore District, Vellore

... Respondents

Prayer:- Writ 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 to the petitioner as per the G.O.Ms.No.385 Finance (Pay Cell) Department dated 01.10.2010, from the date of completion of three years period of service as Sweeper with arrears.

For Petitioner : Mr.R.Saseetharan

For Respondents: Mr.C.Munusamy,

Special Government Pleader(Education)

O R D E R

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that the petitioner was appointed as part time Sweeper on daily wage basis at Village Library, Valarpuram, Arakonam Taluk, Vellore District under the control of the third respondent and the petitioner has been continuing as Sweeper on daily wage basis without time scale of pay for more than 15 years. In the meanwhile the first respondent issued G.O.Ms.No.385, Finance (Pay Cell) Department dated 10.10.2010, and as per the Government order the sweepers who completed three years of service are entitled to special time scale of pay. In order to avail the benefit, the petitioner made representation dated 14.08.2019

to the second respondent, but till date the representation has not been considered by the second respondent. Hence, the petitioner has filed the present petition.

3.Heard both sides.

4.The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the second respondent to consider the representation of the petitioner dated 14.08.2019 and pass orders, within a stipulated time fixed by this Court.

5.Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the second respondent to consider the petitioner's representation dated 14.08.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6.With the above direction, this writ petition stands disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to the Government,
Government of Tamil Nadu,
School Education Education,
Fort St.George, Chennai-600 009

2.The Director of Public Libraries,
Anna Salai, Chennai-2

3.The District Library Officer,
Vellore District, Vellore

+1cc to Mr.R.Saseetharan, Advocate, S.R.No. 85652

+1cc to the Government Pleader, S.R.No. 86109

W.P.No.29222 of 2019

AD(CO)

GN(21/11/2019)