

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.29891, 29897, 29899, and 29902 of 2019

W.P.No.29891 of 2019

S.Subramani

.. Petitioner

-vs-

- 1.The State of Tamil Nadu rep. by its
Secretary to Government,
Tourism, Culture and Religious Endowments Department,
Secretariat, Chennai-9
- 2.The Commissioner of Tourism,
Tourist Compound,
Valaja Salai,
Chennai-2
- 3.The Tourist Officer,
Tourist Office,
Madurai

.. Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 1 and 2 to consider the claims of the petitioner for granting regular time scale of pay of Rs.4,800-10,000+1,300 (Grade Pay) instead of special time scale of pay of Rs.1,300-3,000+300 (Grade Pay) to the petitioner in the post of Scavenger / Sanitary Worker based on the orders of the Government issued in G.O.(Ms).No.50, School Education(Pa.Ka.4 (1)) Department, dated 08.03.2019 and also based on the order of the Hon'ble High Court of Madurai Bench of Madras High Court dated 25.01.2018 in W.P.(MD).No.17663 of 2014.

W.P.No.29897 of 2019

S.Rani

.. Petitioner

-vs-

- 1.The State of Tamil Nadu rep. by its
Secretary to Government,
Tourism, Culture and Religious Endowments Department,
Secretariat, Chennai-9
- 2.The Commissioner of Tourism,
Tourist Compound,
Valaja Salai,
Chennai-2

3.The Tourist Officer,
Tourist Office,
Ooty-1,
Nilgiris District

.. Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to consider the claims of the petitioner for granting regular time scale of pay of Rs.4,800-10,000+1,300 (Grade Pay) instead of special time scale of pay of Rs.1,300-3,000+300 (Grade Pay) to the petitioner in the post of Scavenger / Sanitary Worker based on the orders of the Government issued in G.O.(Ms).No.50, School Education(Pa.Ka.4 (1)) Department, dated 08.03.2019 and also based on the order of the Hon'ble High Court of Madurai Bench of Madras High Court dated 25.01.2018 in W.P.(MD).No.17663 of 2014.

W.P.No.29899 of 2019

P.Muniyandi

... Petitioner

-vs-

1.The State of Tamil Nadu rep. by its
Secretary to Government,
Tourism, Culture and Religious Endowments Department,
Secretariat, Chennai-9

2.The Commissioner of Tourism,
Tourist Compound,
Valaja Salai,
Chennai-2

3.The Tourist Officer,
Tourist Office,
P.T.Road,
Kodaikanal, Dindigul District

.. Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to consider the claims of the petitioner for granting regular time scale of pay of Rs.4,800-10,000+1,300 (Grade Pay) instead of special time scale of pay of Rs.1,300-3,000+300 (Grade Pay) to the petitioner in the post of Scavenger / Sanitary Worker based on the orders of the Government issued in G.O.(Ms).No.50, School Education(Pa.Ka.4 (1)) Department, dated 08.03.2019 and also based on the order of the Hon'ble High Court of Madurai Bench of Madras High Court dated 25.01.2018 in W.P.(MD).No.17663 of 2014.

W.P.No.29902 of 2019

U.Ondiveeran

.. Petitioner

-vs-

- 1.The State of Tamil Nadu rep. by its
Secretary to Government,
Tourism, Culture and Religious Endowments Department,
Secretariat, Chennai-9
- 2.The Commissioner of Tourism,
Tourist Compound,
Valaja Salai,
Chennai-2
- 3.The Tourist Officer,
Tourist Office,
Kattapomman Memorial Fort,
Panchalankurichi,
Thirunelveli & District

.. Respondents

PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents 1 and 2 to consider the claims of the petitioner for granting regular time scale of pay of Rs.4,800-10,000+1,300 (Grade Pay) instead of special time scale of pay of Rs.1,300-3,000+300 (Grade Pay) to the petitioner in the post of Scavenger / Sanitary Worker based on the orders of the Government issued in G.O.(Ms).No.50, School Education(Pa.Ka.4 (1)) Department, dated 08.03.2019 and also based on the order of the Hon'ble High Court of Madurai Bench of Madras High Court dated 25.01.2018 in W.P.(MD).No.17663 of 2014.

For Petitioners: Mr.G.Elanchezhiyan

For Respondents: Mr.A.N.Thambidurai,
Special Govt. Pleader

ORDER

By consent, these writ petitions are taken up for final disposal at the admission stage itself.

2.The case of the petitioners is that the petitioners were initially selected through the employment exchange and appointed as part time Sanitary worker by an order of the Tourist Officer concerned in letters dated 01.06.1998, 15.10.1996, 25.02.1997 and 29.09.1999. Immediately they joined duty and were paid consolidated pay till 2016. Thereafter based on the G.O. No.385, Finance (Pay Cell) Department, dated 01.10.2010 and based on the order of this Court order they were appointed as Sanitary Worker on special time scale of pay of Rs.1,300-3000+300(Grade Pay) in G.O.(2D).No.6, Tourism, Culture and Religious Endowments Department dated 09.05.2016. Based on the Government Order, the Commissioner of Tourism, Chennai issued

order dated 12.01.2017, wherein they were appointed as Sanitary worker on special time scale of pay of Rs.1,300-3,000+300 (Grade Pay). The grievance of the petitioners is that the Commissioner of Tourism, Chennai paid salary to Sweeper, Gardener and Sweeper-cum-Watchman at Rs.4,800-10,000+1,300 (Grade Pay), whereas the petitioners were paid only Rs.1,300-3000 (Grade Pay). In order to remove the pay anomaly, relying on the G.O.(Ms). No.50, School Education (Pa.Ka.4(1)) Department dated 08.03.2019 they made representations before the respondents, but the same have not been considered so far. Hence, the petitioners have filed the present petitions.

3.Heard both sides.

4.The learned counsel for the petitioners submitted that it would suffice, if a direction is issued to the respondents to consider the representations of the petitioners dated 07.05.2019, 08.05.2019, 20.05.2019 and 30.05.2019 respectively and pass orders, within a stipulated time fixed by this Court.

5.Though the petitioners have sought for a larger relief, this Court without going into the merits of the case, directs the respondents to consider the petitioners' representations dated 07.05.2019, 08.05.2019, 20.05.2019 and 30.05.2019 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, these writ petitions stand disposed of. No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
The State of Tamil Nadu,
Tourism, Culture and Religious Endowments Department,
Secretariat, Chennai-9

2.The Commissioner of Tourism,
Tourist Compound,
Valaja Salai,
Chennai-2

3.The Tourist Officer,
Tourist Office,
Madurai

4.The Tourist Officer,
Tourist Office,
Ooty-1,
Nilgiris District

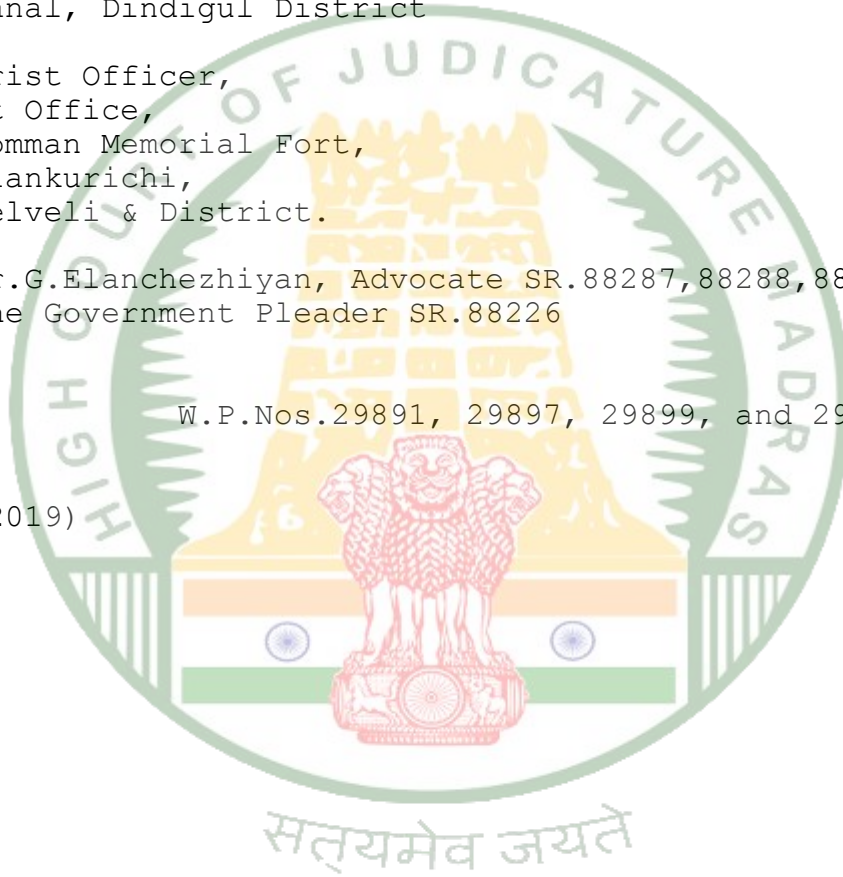
5.The Tourist Officer,
Tourist Office,
P.T.Road,
Kodaikanal, Dindigul District

6.The Tourist Officer,
Tourist Office,
Kattapomman Memorial Fort,
Panchalankurichi,
Thirunelveli & District.

+4cc to Mr.G.Elanchezhiyan, Advocate SR.88287,88288,88289,88290
+1cc to the Government Pleader SR.88226

W.P.Nos.29891, 29897, 29899, and 29902 of 2019

SVI (CO)
CB(02/12/2019)



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