

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.15852 of 2019

ORDER:

This writ petition is being disposed of at the admission stage with the consent of both parties.

This writ petition is filed seeking a Writ of Mandamus, declaring the action of the respondents in not paying wages/salary to the petitioners for the periods as per service-cum-non-payment certificates dated 20.04.2019, 15.04.2019 and 12.04.2019, respectively, for various periods from November, 2014 to March, 2018, as arbitrary and illegal and sought a consequential direction to the respondents to pay salary and arrears to the petitioners as per the G.Os issued from time to time i.e., G.O.Ms.No.370 dated 30.12.2010 and the latest G.O being G.O.Ms.No.180 dated 17.10.2016 immediately along with interest.

Heard learned counsel for the parties.

It is contended by the petitioners that they have been working as part-time sweepers with the respondents since December, 1988 and they are entitled for wages as fixed by the Government from time to time. The grievance of the petitioners is that though the State Government has issued G.O.Ms.No.370 dated 30.12.2010 and the latest G.O being G.O.Ms.No.180 dated 17.10.2016, the respondents are not paying wages/salary for various periods starting from November, 2014 to March, 2018 as per the G.Os issued from time to time.

Counsel for the petitioners submits that appropriate orders be passed in the writ petition directing the respondents to pay wages to the

petitioners strictly in terms of G.O.Ms.No.370 dated 30.12.2010 and the latest G.O being G.O.Ms.No.180 dated 17.10.2016.

Standing Counsel appearing for the respondents had submitted that the case of the petitioners would be considered by the respondents and appropriate orders would be passed, if the petitioners submit a representation to the respondents.

This Court, having considered the rival submissions made by learned counsel for the parties, is of the considered view that this writ petition can be disposed of directing the petitioners to submit a fresh representation to the respondents claiming wages in terms of the above referred G.Os, within two weeks from the date of receipt of a copy of this order, and upon such a representation being received, the respondents shall consider the same and pass appropriate orders, in accordance with law, in another eight weeks thereafter.

With the above directions, the writ petition is disposed of. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

30th July 2019
v v