



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.13400 of 2020

M.Selvakumar

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep.by its Secretary to Government,
Backward Class, Most Backward Class
Minorities Welfare Department,
Secretariat, Chennai.

2.The Commissioner/Director,
Most Backward & De-notified Communities Welfare,
Chennai 600 005.

3.The Joint Director,
Kallar Reclamations,
Old Ramanathapuram Collectorate Campus,
Madurai, Madurai District.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the respondents to grant Regular Time Scale of Pay in the cadre of Scavenger appointed in terms of G.O.Ms.No.123 Backward Class, Most Backward Class Minorities Welfare Department dated 22.10.2010 on par with the existing Scavengers who are receiving regular Time Scale of Pay i.e., Rs.4800-10,000+G.P Rs.1300/- in the light of order made in W.P.(MD)No.17663 of 2014, dated 25.01.2018 confirmed in W.A.(MD) No.1584 of 2018 dated 29.01.2019 and in the light of G.O.Ms.No.50 School Education Department dated 08.03.2019 and by considering the petitioner's representation dated 18.11.2019 within the period that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.C.Venkatesh Kumar,
for M/S.Ajmal Associates

For Respondents : Mr.N.Shanmugaselvan,
Additional Government Pleader

ORDER

This writ petition has been filed to direct respondents to grant Regular Time Scale of Pay in the cadre of Scavenger appointed in terms of G.O.Ms.No.123 Backward Class, Most Backward Class Minorities Welfare Department dated 22.10.2010 on par with the existing Scavengers who are receiving regular Time Scale of Pay i.e., Rs.4800-10,000+G.P Rs.1300/- in the light of order made in W.P.(MD)No.17663 of 2014, dated 25.01.2018 confirmed in W.A.(MD) No.1584 of 2018 dated 29.01.2019 and in the light of G.O.Ms.No.50



School Education Department dated 08.03.2019 and by considering the petitioner's representation dated 18.11.2019 within the period that may be stipulated by this Court.

2.The learned counsel for the petitioner would submit that the petitioner has given a detailed representation on 18.11.2019 seeking the aforesaid relief. However, the said representation has not been disposed of till date. This Court in a similar batch of writ petitions in W.P(MD) Nos.12853 of 2020 etc., dated 26.09.2020 has passed an order directing the third respondent to forward the proposal to the second respondent and thereafter, the second respondent send the same to the Government, who in turn shall pass orders on the representation made by the petitioners therein. He would further submit that there is an inordinate delay in decision making process on the part of the respondents in disposing the representation dated 18.11.2019. Hence, the petitioner approached this Court by way of this petition.

3.The learned Additional Government Pleader would submit that on the basis of the representation, the respondents already initiated the decision making process and the same is pending with the first respondent and they have sought for clarification.

4.In view of the submissions made by the learned counsel appearing on either side, this Court directs the first respondent to dispose of the petitioner's representation dated 18.11.2019 within a period of four weeks from the date of receipt of a copy of this order, on merits and in accordance with law.

5.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:-

- 1.The Secretary to Government,
Backward Class, Most Backward Class
Minorities Welfare Department,
Secretariat, Chennai.
- 2.The Commissioner/Director,
Most Backward & De-notified Communities Welfare,
Chennai 600 005.
- 3.The Joint Director,
Kallar Reclamations,
Old Ramanathapuram Collectorate Campus,
Madurai, Madurai District.

W.P.[MD]No.13400 of 2020
16.10.2020

PU(CO)
KB(04.11.2020) 3P 4C