

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.15417 of 2014

Thennarkadu Ooraga Valarchi
Ulatchithurai Oozhiyar Sangam
Rep. by its District President ... Petitioner

Vs.

1.Government of Tamil Nadu
Rep. by its Secretary
Rural Development and Panchayat Raj Department,
Fort St.George,
Chennai – 600 009.

2.Director of Elementary Education
DPI Campus,
College Road,
Nungambakkam,
Chennai – 600 006. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to enforce G.O.Ms.No.385, Finance (Salary Division) Department, dated 01.10.2010 to the Sweepers/Scavengers in the Elementary / Middle School in the District of Villupuram by placing them in the Special Time Scale of Pay of Rs.1300-3000+Rs.300/- from the time they are entitled to.

For Petitioner : Mr.Balan Haridas

For Respondents : Mr.P.Chinnadurai for R1
Special Government Pleader
Mr.C.Munusamy for R2
Special Government Pleader

ORDER

The prayer made in this writ petition is to issue a direction to the respondents to enforce G.O.Ms.No.385, Finance (Salary Division) Department, dated 01.10.2010 to the Sweepers/Scavengers in the Elementary / Middle School in the District of Villupuram by placing them in the time scale of pay of Rs.1300-3000+Rs.300/-.

2.The case of the petitioner is that they are registered under the Trade Unions Act and affiliated to CITU. The Scavengers/ Sweepers working in Municipalities, Town Panchayat, Village Panchayat and in Elementary/ Middle Schools in Villupuram are their members. It is the further case of the petitioner that the Government issued G.O.Ms.No.385, Finance (Salary Division) Department, dated 01.10.2010, fixing special time scale of pay of Rs.1300 – 3000 + Rs.300/- in respect of the Sweepers/ Scavengers working on daily wage basis or on consolidated pay in the Government Offices or in

Local Bodies and who had rendered three years of service. However, it was not extended to the Sweepers/ Scavengers working in the Elementary/ Middle Schools in the Villupuram District. In this regard, the petitioner Union made representations to the respondents. Upon receipt of the same, the Government sent a letter dated 14.08.2013 to the Director, Urban Development and Panchayat Raj Department, Chennai - 15, directing to pay in accordance with G.O.Ms.No.385, dated 01.10.2010, with effect from 07.05.2013, even thereafter, there was no response. Hence, this writ petition.

3.The learned counsel appearing for the petitioner, during the course of hearing, submitted that it would suffice, if the petitioner's representations are directed to be considered by the respondents, in the light of the communication dated 14.08.2013 sent by the Government, for which, there is no objection on the side of the respondents.

4.In view of the above, this Court directs the respondents to consider the representations made by the petitioner Union dated 11.09.2013 and 04.10.2013, if not already considered and pass

appropriate orders, on merits and in accordance with law and also in the light of the letter of the Government dated 14.08.2013, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of.

No costs.

03.02.2021

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

To

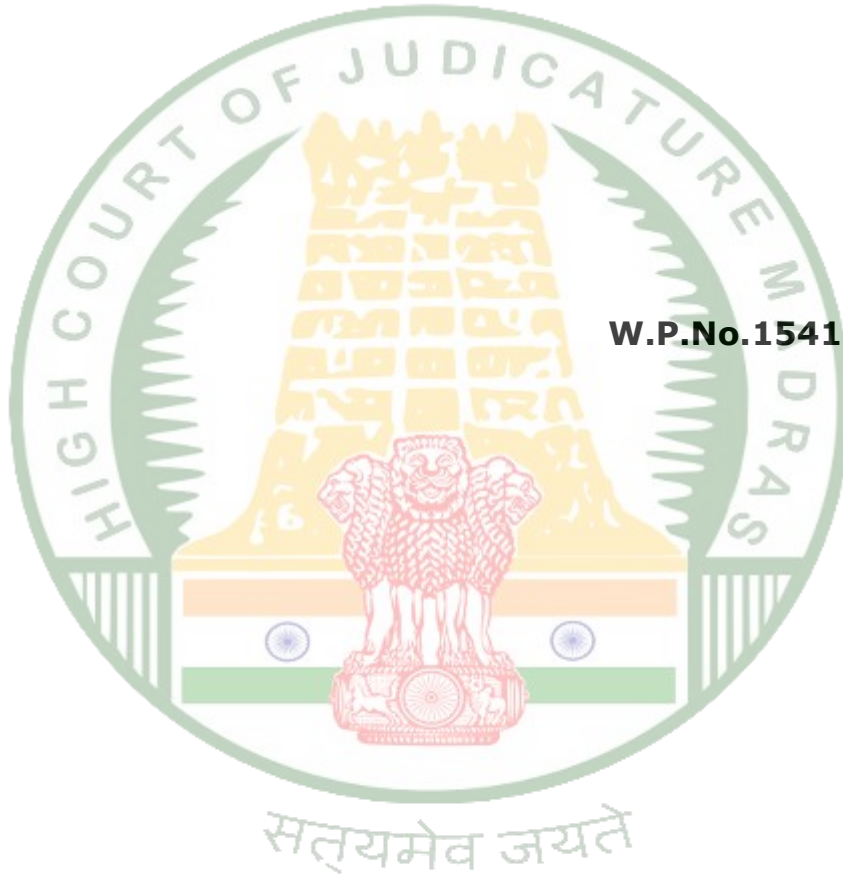
1. The Secretary
Rural Development and Panchayat Raj Department,
Fort St. George,
Chennai – 600 009.

2. Director of Elementary Education
DPI Campus, College Road,
Nungambakkam, Chennai – 600 006.

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