



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Writ Petition (MD)No.13409 of 2017

P.Thangasamy

... Petitioner

Vs.

1.The Director of Town Panchayat,
4th Floor, Kuralagam,
Chennai -108.

2.The Assistant Director of Town Panchayat,
Collectorate,
Nagercoil,
Kanyakumari District.

3.The Executive Officer,
Palapallam Town Panchayat,
Palapallam post,
Kanyakumari District.

... Respondents

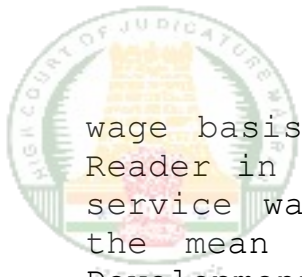
Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to pay the entire arrears of revised pay of scale from 01.01.2006, in accordance with G.O.(Ms.).No.297, dated 22.07.2013.

For Petitioner : Mr.S.Ramakrishnan
For R1 & R2 : Mr.D.Muruganantham
Additional Government Pleader
For R3 : No appearance

O R D E R

This writ petition has been filed for a direction to the respondents to pay the entire arrears of revised pay of scale from 01.01.2006, in accordance with G.O.(Ms.).No.297, dated 22.07.2013.

2. The case of the petitioner is that he was appointed as Water Supplier in Aloor Town Panchayat on 15.11.1984, on daily



wage basis. Thereafter, on 03.08.2001, he was appointed as Meter Reader in Palapallam Town Panchayat, on consolidated basis and his service was regularised by the Executive Officer, Palapallam. In the mean while, the Government issued a G.O.(Pt).No.60, Rural Development and Panchayat Department, dated 23.06.2006, to bring 1541 sanitary workers into regular time scale of pay. Accordingly, the petitioner and others were brought into regular time scale of pay. Thereafter, the Government issued a G.O.(Ms).No.297, dated 22.07.2013, for revision of scales of pay of certain categories of Municipal Administration Department. Since the petitioner rendered as Meter Reader in the Town Panchayat and retired from service on 31.01.2015, he repeatedly made representations to the respondents, requesting them to pay the arrears of revised scale of pay, as per G.O.Ms.No.297, dated 22.07.2013. But till date no order was passed. Hence, the petitioner has filed the present writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the respondents to consider the petitioners' representation, dated 22.06.2016, within a specified period as fixed by this Court.

4. Heard the learned counsel for the petitioner, the learned Special Government Pleader and perused the materials available on record.

5. A perusal of the counter affidavit filed by the respondents reveals that there are two posts available in the Town Panchayat and one is "Trade Posts" and another one is "Other Trade Posts". As per G.O.(Ms.)No.297, dated 22.07.2013, the Meter Readers with SSLC + ITI qualifications fall under "Trade Posts" in Municipal Administration. Whereas, the petitioner has not completed 10th Standard and as such, he was categorised as "Unskilled" under "Other Trade Posts".

6. In view of the above, the relief sought for by the petitioner cannot be granted. Hence, this Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

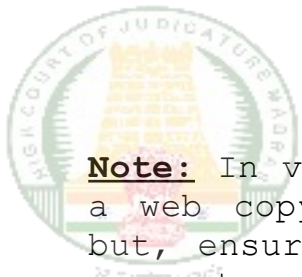
Sd/-

Assistant Registrar(P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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 Director of Town Panchayat,
4th Floor, Kuralagam,
Chennai -108.
- 2.The Assistant Director of Town Panchayat,
Collectorate,
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- 3.The Executive Officer,
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Palapallam post,
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+1 CC to M/s.SPL GP (SR-11518[F] dated 16/03/2021)

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KG (CO)
AS(13.05.2021) 3P 5C