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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.Nos.3326, 3327, 3329 & 3330 of 2015
and M.P.No.1 of 2015

K.Anandan ...Petitioner in W.P.No.3326 of 2015
(Amended vide order dated 01.02.2022
as per the memo dated 01.02.2022)
(USR:3885/2022 by MSRJ in W.P.No.3326 of 2015)

S.Sujatha ...Petitioner in W.P.No.3327 of 2015
D.Saravanan ...Petitioner in W.P.No.3329 of 2015
E.Prabakar ...Petitioner in W.P.No.3330 of 2015

Vs

1. The Government of Tamil Nadu,
Represented by Principal Secretary to Government,
Labour and Employment (R2) Department,
Chennai-600 009.
2. The Principal Secretary/State Commissioner for the
Differently abled,
Commissionerate for the Welfare of the Differently Abled,
Jawaharlal Nehru Inner Ring Road,
K.K.Nagar, Chennai-600 078.
3. The Principal Secretary to Government,
Social Welfare and Nutritious meal Programme (SW 4)
Department,
Chennai-600 009.
4. The Director of Employment and Training,
Guindy, Chennai-32.
...Respondents in all Writ Petitions
5. The District Employment Officer,
Office of the District Employment,
Kancheepuram.
...5th Respondent in W.P.No.3326 of 2015
6. The District Employment Officer,
Office of the District Employment,
Tiruvannamalai.
...5th Respondent in W.P.No.3327 of 2015



7. The District Employment Officer,
Office of the District Employment,
Vellore.

...5th Respondent in W.P.No.3329 of 2015

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8. The District Employment Officer,
Office of the District Employment,
Thiruvallur.

...5th Respondent in W.P.No.3330 of 2015

PRAYER IN ALL WRIT PETITIONS: Writ Petition filed under Article 226 of Constitution of India praying to issue a Writ of mandamus or any other appropriate writ or direction in the nature of writ directing the respondents to implement G.O.(MS). No.151 on the file of 3rd respondent dated 16.10.2008 and proceedings on the file of 2nd respondent dated 19.12.2012, thereby convert the pay of the petitioner from consolidated pay to Time scale of pay and to regularize the petitioner as typist.

Counsels in all Writ petitions:

For Petitioner : Mr.M.Venkadesh Kumar
For Respondents : Mr.C.Selvaraj
Additional Government Pleader

C O M M O N O R D E R

Today when the matter was called, the learned Counsel for the petitioners would submit that in W.P.No.3326 of 2015, the name of the petitioner was inadvertently stated as 'V.Anandan' instead of 'K.Anandan' and the learned Counsel has filed a memo dated 01.02.2022, seeking for rectification of the petitioner's name. The said memo is hereby recorded and accordingly, the name of the petitioner is amended as 'K.Anandan'.

2. The present Writ Petitions have been filed for issuance of Writ of Mandamus, directing the respondents to implement G.O.(MS).No.151 on the file of 3rd respondent, dated 16.10.2008 and proceedings on the file of 2nd respondent, dated 19.12.2012, thereby convert the pay of the petitioner from Consolidated pay to Time scale of pay and to regularize the petitioners as Typists.

3. The petitioners herein, who are physically challenged, were engaged as Temporary Typists on a consolidated pay at the District Employment Office with effect from 01.10.2009. Under G.O.(MS).No.151 Social Welfare and Noon meal Department, dated 16.10.2008, the Government had issued orders to regularize the services of physically challenged employees, who had completed



two years of service on Consolidated salary.

4. By placing reliance on the aforesaid Government Order dated 16.10.2008, the learned counsel for the petitioners submitted that the petitioners have been appointed and their services have not been regularized till date. Hence, he would submit that they would be satisfied if a direction is given to the respondents herein, to regularize the services of the petitioners, in the light of the Government Order dated 16.10.2008.

5. In view of the limited prayer sought for by the petitioners herein, the petitioners herein may be granted liberty to give a fresh representation ventilating their grievances with a consequent direction to the respondents to consider such a representation, thereby securing the ends of the justice.

6. In the light of the above observations, the petitioners are granted liberty to give a fresh representation to the respondents herein ventilating their grievances. On receipt of the same, the respondents shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of four (04) weeks from the date of receipt of the representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioners and that it is open to the concerned respondent to consider the same on its own merits.

6. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

GD

To

1. The Government of Tamil Nadu,
Represented by Principal Secretary to Government,
Labour and Employment (R2) Department,
Chennai-600 009.



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2. The Principal Secretary/State Commissioner
For the Differently abled
Commissionerate for the Welfare of the
Differently Abled,
Jawaharlal Nehru Inner Ring Road,
K.K.Nagar, Chennai-600 078.

3. The Principal Secretary to Government,
Social Welfare and Nutritious meal
Programme (SW 4) Department,
Chennai-600 009.

4. The Director of Employment and Training,
Guindy, Chennai-32.

5. The District Employment Officer,
Office of the District Employment,
Kancheepuram.

6. The District Employment Officer,
Office of the District Employment,
Tiruvannamalai.

7. The District Employment Officer,
Office of the District Employment,
Vellore.

8. The District Employment Officer,
Office of the District Employment,
Thiruvallur.

+4cc to Mr.M.Venkadesh Kumar, Advocate,
S.R.No.6375,6376,6378,6379
+1cc to the Government Pleader, S.R.No.6467

W.P.Nos.3326, 3327, 3329 & 3330 of 2015

PMK (CO)
CT 11/04/2022