



W.P.No. 25085 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2023

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.25085 of 2014
and M.P.Nos.1 and 2 of 2014

P.Chitra

... Petitioner

Vs

1. The Secretary to Government,
Personal and Administrative Reforms Department,
Fort St, George, Chennai-9.
2. The Commissioner,
Treasury and Auditing Department,
Panagal Building,
Chennai – 600 015.
3. The Secretary,
Finance (Ka.Ka-2) Department,
Fort St, George, Chennai 600 009.
4. The Treasury Officer,
District Treasury,
District Collectorate Campus,
Salem – 636 001.
5. The Zonal Joint Director,
Treasury and Auditing Department,
Old Collector Office Campus,
Thiruchirapalli – 1.



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6. The Sub Treasury Officer,
Mettur, Mettur Taluk,
Salem District.

....Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, calling for the records in pursuance to the G.O.Ms.No.74 (P & AR) F Department dated 27.06.2013 passed by the first respondent and Letter No.7158/Ka.Ka.2/2014-1 dated 26.06.2014 passed by the third respondent and quash the same, consequently direct the respondents to regularise the petitioner's service with effect from 14.12.2012 in the cadre of Sweeper in the Special time pay scale post with all monetary benefits.

For Petitioner	: Mr.M.Elango
For Respondents	: Mr.L.S.M. Hasan Fizol, Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the G.O.Ms.No.74 (P & AR) F Department dated 27.06.2013 passed by the first respondent and Letter No.7158/Ka.Ka.2/2014-1 dated 26.06.2014 passed by the third respondent, thereby rejected the request made by the petitioner to regularize her service in the cadre of sweeper.



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2. Heard the learned counsel for the petitioner and the learned counsel for the respondents and perused the materials available on record.

3. The petitioner was appointed as a part time sweeper at Sub Treasury Office, Mettur Dam, on 14.12.2002. She is continuously working for the past 11 years. Therefore, as per G.O.No.385 Finance (Salary Section) Department dated 01.10.2010, those who have completed three years of service should be paid a special time scale of pay. She also made a representation seeking regularization of her service in special time scale of pay post, since she had completed 10 years of service from the date of her appointment.

4. A perusal of the counter filed by the second respondent revealed that the request made by the petitioner was rejected on the basis of G.O.Ms.No.74, Personnel and Administrative Reforms (F) Department, dated 27.06.2013. However, the request made by the petitioner under G.O.No.385 Finance (Salary Section) Department dated 01.10.2010 was not referred in the impugned orders. Though the request of the petitioner for regularization of her service was rejected, her request for special time scale of pay was not considered by the third respondent.



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5. Therefore, the third respondent is directed to consider the request made by the petitioner, in the light of the recommendation sent by the fourth respondent dated 04.10.2011, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. Consequently, connected Miscellaneous petitions are closed. There shall be no order as to costs.

07.08.2023

Internet:Yes
Index:Yes/No
Speaking/Non speaking order
mn



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To

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G.K.ILANTHIRAIYAN. J.

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