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W.P.No.20238 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 10.07.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

**WP.No.20238 of 2023**

B.Govindaraj

... Petitioner

**Vs**

1. The State of Tamilnadu rep. by its  
Principal Secretary to Government,  
School Education Department,  
Secretariat, Chennai – 9.
  2. The District Elementary,  
Educational Officer,  
Thiruvallur, Thiruvallur District.
  3. The Assistant Elementary Educational Officer,  
Poondi, Thiruvallur Taluk & District.
- ... Respondents

Prayer:- Writ Petition filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents herein to extend the benefit of the Government Order in G.O.Ms.No.247, School Education [R1] Department dated 03.10.20212 by regularizing the petitioner's services in the post of Sweeper/water attender from



W.P.No.20238 of 2023

01.09.1994 the date of completion of 10 years of service and sanction Regular Time Scale of Pay to the petitioner with all monetary and service benefits or grant Special Time Scale of Pay w.e.f. 01.09.1987, the date of completion of 3 years of service with all monetary and service benefits as per the Government Order in G.O.Ms.No.385, Finance [Pay Cell] Department, dated 01.10.2010.

For Petitioner : Mr.A.R.Suresh

For Respondents : Mr.S.Rajesh,  
Government Advocate

### **ORDER**

This Writ Petition has been filed to direct the respondents herein to extend the benefit of the Government Order in G.O.Ms.No.247, School Education [R1] Department dated 03.10.20212 by regularizing the petitioner's services in the post of Sweeper/water attender from 01.09.1994 the date of completion of 10 years of service and sanction Regular Time Scale of Pay to the petitioner with all monetary and service benefits or grant Special Time Scale of Pay w.e.f. 01.09.1987, the date of completion of 3 years of service with all monetary and service benefits



W.P.No.20238 of 2023

as per the Government Order in G.O.Ms.No.385, Finance [Pay Cell] Department, dated 01.10.2010.

2. The grievance of the writ petitioner is that the petitioner was appointed as a Sweeper cum Water Bearer in the office of the then Deputy Inspector of Elementary Education, Poondi on 01.09.1984 and he was put in 39 years of service. He had made several representations to the third respondent to regularize his services in the post of sweeper cum water bearer. The third respondent vide his proceedings dated 16.04.1999 forwarded the representation of the petitioner to the second respondent. But no action has been taken by the second and third respondents. The Government had taken a policy decision and issued G.O.Ms.No.385 Finance [Pay Cell], Department dated 01.10.2010, wherein the Sanitary Worker working in Government Department and local body and those who have completed more than 3 years of service be appointed on Special Time Scale of Pay. However, G.O.Ms.No.247 dated 03.10.2012 has been issued only for School Education Department, wherein the persons who have completed 10 years of service had been



W.P.No.20238 of 2023

given monetary benefits. However, the name of the petitioner has not been considered in this regard. Hence, he has given a representation dated 12.12.2022 to the respondents and the same has not been considered by them. Hence, the petitioner seeks a direction to the respondents to consider his representation dated 12.12.2022.

3. The learned Government Advocate appearing for the respondents submitted that no such representation has been received by the respondents and if a fresh representation is given, the same shall be considered as per law.

4. In such view of the matter, the petitioner is directed to give a fresh representation to the respondents within a period of 15 days from the date of receipt of a copy of this Order and on such representation being given, the respondents shall consider the representation and pass Orders on the same as per law within a period of two months thereafter.



W.P.No.20238 of 2023

WEB COPY

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

**10.07.2023**

Index:Yes/No

Neutral Citation : Yes/No

vrc

To,

1. The Principal Secretary to Government,  
School Education Department,  
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2. The District Elementary,  
Educational Officer,  
Thiruvallur, Thiruvallur District.
3. The Assistant Elementary Educational Officer,  
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W.P.No.20238 of 2023

**N.SATHISH KUMAR, J.**

VTC

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