



W.P.No.21849 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.21849 of 2023

- 1.M.Unnikrishnan
- 2.K.Mohankumar
- 3.C.A.Mary Vinitha
- 4.K.Chandran
- 5.T.Subramanian
- 6.K.Rajammal
- 7.S.Mohanraj
- 8.K.Suresh
- 9.U.Lakshmanan
- 10.L.Radhakrishnan
- 11.N.Rajesh
- 12.S.A.Augustin Prem

... Petitioners

Vs.

- 1.The Secretary to Government,
Agriculture-Farmers Welfare Department,
Fort St. George,
Chennai – 600 009.
- 2.The Managing Director,
Horticulture & Plantation Crops,
Chepauk,
Chennai – 600 005.
- 3.The Joint Director of Horticulture,
Vijayanagaram, Horticulture House,
P.B.No.72, Udthagamandalam,
The Nilgiris District.



W.P.No.21849 of 2023

4.The Assistant Director,
Department of Horticulture,
Govt. Botanical Garden, Udagamandalam,
The Nilgiris District.

5.The Assistant Director,
Department of Horticulture,
Govt. Rose Garden, Udagamandalam,
The Nilgiris District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents 1 and 2 to bring the petitioners into regular time scale of pay by considering the proposal sent by the 2nd respondent, dated 03.04.2023, within reasonable time.

For Petitioners : Mr.S.Sivakumar

For Respondents : Mr.S.Arumugam
Government Advocate

ORDER

This writ petition has been filed to direct the respondents 1 and 2 to bring the petitioners into Regular Time Scale of Pay by considering the proposal sent by the 2nd respondent, dated 03.04.2023, within reasonable time.



W.P.No.21849 of 2023

WEB C

2.It is the case of the petitioners that they were appointed as daily wage employees in the respondent Department and they worked for more than 10 years. A Government Order vide G.O.Ms.No.22, Personnel and Administrative Reforms (F) Department, dated 28.02.2006, came to be issued directing all the Departments to regularise the services of daily wage employees who had worked for more than 10 years as on 01.01.2006. Though the services of the petitioners have been regularised pursuant to the said Government Order, the grievance of the petitioners is that they have been brought under the Special Time Scale of Pay, instead of Regular Time Scale of Pay, unlike the similarly placed daily wages employees of other departments who have been brought under Regular Time Scale of Pay. Therefore, the petitioners submitted a representation on 25.04.2022 to the respondents to bring the petitioners under the Regular Time Scale of Pay. After repeated requests, the 2nd respondent has also forwarded the proposal to the 1st respondent vide communication dated 03.04.2023. However, nothing fruitful is forthcoming. Therefore, the petitioners are constrained to file the present writ petition.



W.P.No.21849 of 2023

3.Heard the learned counsel for the petitioners and

Mr.S.Arumugam, learned Government Advocate, who takes notice for the respondents, and perused the entire materials available on record.

4.On a perusal of the communication sent by the 2nd respondent to the 1st respondent, dated 03.04.2023, it is seen that the 2nd respondent has sent a proposal for placing the petitioners in the Regular Time Scale of Pay. However, orders are yet to be passed by the 1st respondent. In such view of the matter, the 1st respondent is directed to consider the proposal sent by the 2nd respondent, dated 03.04.2023, and pass appropriate orders on its own merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

5.With the above direction, this writ petition is disposed of. No costs.

25.07.2023
(2/2)

mkn

Internet : Yes
Index : Yes / No
Neutral citation : Yes / No
Speaking order / Nonspeaking order

To
<https://www.mhc.tn.gov.in/judis>



W.P.No.21849 of 2023

- 1.The Secretary to Government,
Agriculture-Farmers Welfare Department,
Fort St. George,
Chennai – 600 009.
- 2.The Managing Director,
Horticulture & Plantation Crops,
Chepauk,
Chennai – 600 005.
- 3.The Joint Director of Horticulture,
Vijayanagaram, Horticulture House,
P.B.No.72, Udthagamandalam,
The Nilgiris District.
- 4.The Assistant Director,
Department of Horticulture,
Govt. Botanical Garden, Udagamandalam,
The Nilgiris District.
- 5.The Assistant Director,
Department of Horticulture,
Govt. Rose Garden, Udagamandalam,
The Nilgiris District.



WEB COPY



W.P.No.21849 of 2023

mkn

W.P.No.21849 of 2023

25.07.2023
(2/2)