



WEB COPY



W.P.No.29476 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2023

CORAM :

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

WP No.29476 of 2023 and
W.M.P.No.29096 of 2023

Kamalam

.... Petitioner

-Vs-

1. The Government of Tamil Nadu,
Rep. by its Secretary, Home Department,
Fort St. George, Chennai 600 009.
2. The Director of General of Police. Tamilnadu,
DGP Office, Chennai - 4.
3. The Inspector General of Police,
Central zone, Trichirapalli, Trichirapalli District.
4. The Superintendent of Police,
District Police Office, Ariyalur, Ariyalur District.
5. The Inspector of Police, Thalavai Police Station,
Ariyalur, Ariyalur District.

.... Respondents

Prayer :- Writ Petition under Article 226 of the Constitution of India
praying for the issuance of a Writ of Mandamus directing the respondents



W.P.No.29476 of 2023

to pay Special Time Scale Pay with all other allowances from 16-06-2013 in terms of the G.O. Ms No.385 (Fin) (pay) Dept. dated 1-10-2010 and the order of the Hon'ble Division Bench made in W.A.(MD)No.1584 of 2018 dated 29-01-2019 and consequently direct the respondents to fix the salary of the petitioner in the Regular Time Scale of Pay Rs.4800 - 10000 with G.P. of Rs.1300pm along with annual increments and other benefits from 16-06-2013 after adjusting the consolidated pay paid from 16-06-2013.

For Petitioner : Mr.V.Krishnamurthy

For Respondents : Mr.M.Alagugowtham
Government Advocate

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to pay Special Time Scale Pay with all other allowances from 16-06-2013 in terms of the G.O. Ms No.385 (Fin) (pay) Dept. dated 1-10-2010 and the order of the Hon'ble Division Bench made in W.A.(MD)No.1584 of 2018 dated 29-01-2019 and to direct the respondents to fix the petitioner's salary in Regular Time Scale of



W.P.No.29476 of 2023

Pay Rs.4800 - 10000 with G.P. of Rs.1300 pm along with annual increments and other benefits from 16-06-2013 after adjusting the consolidated pay paid from 16-06-2013.

2. The case of the petitioner is that she had registered her name in the District Employment Office and was waiting for appointment. Her name was sponsored for appointment as a sweeper in Ariyalur Police Station and she was contacted to attend the interview. She attended the interview and was appointed as sweeper at the office of the 5th respondent. The Order was issued by the Superintendent of Police in his proceedings Na.Ka.No.A2/11457/2012 dated 23-05-2013. She reported to duty on 16-06-2013 as directed.

4.The Petitioner was appointed as Sweeper in terms of G.O.Ms.NO.385 Fin (pay) Dept. dated 1-10-2010 with special time scale pay of Rs.1300-3000 + 300 Grade Pay, Dearness Allowance (D.A.) and other allowances along with 3% of increase of salary by way of annual increment. But respondents failed to pay the salary with allowance from



W.P.No.29476 of 2023

the date of the petitioner's appointment and also not sanctioned annual increments and other benefits, even though she is serving continuously without any break of service for over 10 years. She was only paid consolidated pay from the date of her appointment. Similarly placed persons like that of the petitioner filed WP (MD) No.17663 of 2014 and obtained an order and the same was also confirmed in WA (MD) No.1584 of 2018 dated 29.01.2019. The petitioner had made a representation dated 04.07.2014 to the respondent to fix the salary of the petitioner in the regular time scale of pay along with other increments and other benefits.

5. Mr.M.Alagugowtham, learned Additional Government Advocate takes notice for respondents 1 to 5 and submits that if a period of sixteen weeks time is granted, the respondents would consider the representation of the petitioner and pass appropriate orders.

6. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.



W.P.No.29476 of 2023

WEB COPY

7. Considering the submission of the learned counsel for the petitioner, without going into the merits of the case, there shall be a direction to the 4th respondent to consider the petitioner representation dated 04.07.2014 in the light of GO Ms.No.385 (Fin) Pay Department dated 01.10.2010 and the order of the Hon'ble Division Bench in W.A.(MD) No.1584 of 2018 dated 2019 and pass appropriate orders within a period of sixteen weeks from the date of receipt of a copy of this order.

8. This Writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

11.10.2023

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Index : Yes/No

Internet : Yes/No



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W.P.No.29476 of 2023

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W.P.No.29476 of 2023

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rka

W.P.No.29476 of 2023



WEB COPY



W.P.No.29476 of 2023

11.10.2023