



W.P.No.29767 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

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- 1.M.Amudha
- 2.S.Isaivani
- 3.P.Gandhi
- 4.T.Eswari
- 5.P.Krishnaveni
- 6.Sathya
- 7.Lingammal
- 8.Kala
- 9.R.Rani
- 10.Muniyammal
- 11.C.Rani
- 12.Kanchana
- 13.Chandira
- 14.Manimegalai
- 15.Rajammal
- 16.Devaki
- 17.Meerabai
- 18.M.Sivagami
- 19.R.Rajakumari
- 20.M.Revathi
- 21.Patharaimani
- 22.S.Kaleeswari
- 23.Lakshmi
- 24.V.Gunasekari
- 25.Valaroja
- 26.Chinnathayee
- 27.Pappammal



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28.Santha
29.Muniyammal

...Petitioners

Vs

1.The State of Tamil Nadu,
Rep. by its Secretary,
Finance Department,
Fort St. George, Chennai - 600 009.

2.The Secretary,
Rural Development Department,
Fort St. George, Chennai - 600 009.

3.The Secretary,
Education Department,
Fort St. George, Chennai - 600 009.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to extend the benefit of Special Time Scale of Pay as per G.O.Ms.No.385, Finance (Pay Cell) Department, dated 01.10.2010 including arrears and other eligible benefits arising thereto on the basis of the representations dated 15.06.2023 and 07.07.2023.

For Petitioners : Mr.L.Chandrakumar

For R1 : Mr.A.Selvendran,
Special Government Pleader

For R2 & R3 : Mr.M.Bindran,
Additional Government Pleader



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ORDER

With the consent of both the parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioners herein had given representations to the respondents on 15.06.2023 and 07.07.2023, seeking for grant of special time scale of pay in the cadre of Sweeper together with arrears and other benefits. Since the representations were not considered, the present Writ Petition has been filed.

3. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast on him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct him to consider the same within a stipulated time.



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4. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioners' representations dated 15.06.2023 and 07.07.2023 pass appropriate orders in accordance with law, within a period of three months from the date of receipt of a copy of this order. 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.

5. With the above direction, the Writ Petition stands disposed of.

No costs.

13.10.2023

Index: Yes/No

Speaking order/Non-speaking order

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Note: Issue order copy on 03.11.2023



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- 1.The Secretary,
Finance Department,
Fort St. George, Chennai - 600 009.
- 2.The Secretary,
Rural Development Department,
Fort St. George, Chennai - 600 009.
- 3.The Secretary,
Education Department,
Fort St. George, Chennai - 600 009.



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M.S.RAMESH,J.

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