



W.P(MD)No.6877 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.04.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6877 of 2023

B.Karuppasamy

... Petitioner

Vs.

1.The Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai – 600 009.

2.The Commissioner of Rural Development
and Panchayat Raj Department,
Pangal Building, Saidapet,
Chennai – 600 015.

3.The District Collector,
Thoothukudi District,
Thoothukudi.

4.The Block Development Officer,
Pudur Panchayat Union,
Pudur, Thoothukudi District.

5.The President,
Chennampatti Village Panchayat,
Vilathikulam Taluk,
Thoothukudi District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to put the petitioner in Special Time Scale of Pay in the post of Sanitary Worker in 5th Respondent Village Panchayat on completion of 3 years from his date of initial appointment by regularizing his service and consequently to disburse all the service and monetary benefits including Special Monthly Pension to the petitioner forthwith.

For Petitioner : Mr.J.Pareekhkumar

For Respondents : Mr.G.Suriyananth,
Addl. Government Pleader for R1 to R3.
Mr.S.R.A.Ramachandran,
Addl. Government Pleader for R4 & R5.

ORDER

Heard the learned counsel on either side.

2.The writ petitioner was appointed as Sanitary Worker on consolidated pay in the fifth respondent village panchayat on 05.03.2010. He was getting a meagre amount of Rs.500/- per month. The petitioner



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reached the age of superannuation on 31.03.2023. The case of the petitioner is that by virtue of G.O.(Ms)No.385, dated 01.10.2010, he should have been brought into special time scale of pay after completion of three years' of service. His grievance is regarding non-implementation of the said government order in his favour. That led to the filling of this writ petition.

3. When the matter was taken up for hearing, the learned Additional Government Pleader submitted that the fourth respondent had already forwarded the proposal to the third respondent in favour of the writ petitioner and few others on 06.02.2023 itself. The third respondent is directed to forward the said proposal to the second respondent within a period of four weeks from the date of receipt of a copy of this order. The second respondent shall consider the proposal and thereafter forward the same to the first respondent within a period of eight weeks thereafter. The first respondent shall pass final order within a period of six weeks thereafter. I expect the authorities to adhere to the time line stipulated above. I am confident that the authorities including the Government will treat the petitioner on par with similarly placed individuals.



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4.This writ petition is disposed of accordingly. No costs.

20.04.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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Issue order copy on 24.04.2023.

To:-

- 1.The Principal Secretary,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai – 600 009.
- 2.The Commissioner of Rural Development
and Panchayat Raj Department,
Pangal Building, Saidapet,
Chennai – 600 015.
- 3.The District Collector,
Thoothukudi District,
Thoothukudi.
- 4.The Block Development Officer,
Pudur Panchayat Union,
Pudur, Thoothukudi District.
- 5.The President,
Chennampatti Village Panchayat,

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Vilathikulam Taluk,
Thoothukudi District.



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G.R.SWAMINATHAN, J.

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