



**W.P(MD).Nos.6449 and 6450 of 2018**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED:14.02.2023**

**CORAM:**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

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**W.M.P(MD).Nos.6258 and 6259 of 2018**

P.Karunanithi ... Petitioner in W.P(MD).No.6449 of 2018

M.Ganesan ... Petitioner in W.P(MD).No.6450 of 2018

**Vs.**

1.The State of Tamil Nadu,  
Represented by its Secretary,  
Backward Class, Most Backward Class and  
De-notified Community Welfare (B.Na.3) Department,  
Fort St.George,  
Chennai-600 009.

2.The Joint Director,  
Kallar Reclamation Office,  
Opposite to Anna Bus Stand,  
Madurai-625 020.

... Respondents in both petitions

**Common Prayer:**Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to fix the scale of pay of the petitioners in terms of the order made in G.O(2D).No.39, Backward Class, Most Backward Class and De-



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notified Community Welfare (B.Na.3) Department, dated 28.11.2012 followed by an order dated 10.12.2012 made in Se.Mu.No.B2/13598/2001 passed by the 2<sup>nd</sup> respondent with all arrears, past service and all attendant benefits.

**In both cases**

For Petitioner : Mr.G.Ethirajulu

For Respondent : Mr.J.Ashok

Additional Government Pleader  
for R1 and R2

**COMMON ORDER**

These Writ Petitions have been filed for a direction to the respondents to fix the scale of pay of the petitioners in terms of the order made in G.O(2D).No.39, Backward Class, Most Backward Class and De-notified Community Welfare (B.Na.3) Department, dated 28.11.2012 followed by an order dated 10.12.2012 made in Se.Mu.No.B2/13598/2001 passed by the 2<sup>nd</sup> respondent with all arrears, past service and all attendant benefits.



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2. The case of the petitioners is that the petitioners belong to Kallar Community and are entitled to the benefit under Kallar Reclamation Scheme. After completing the Trained Teacher's Certificate Course (TTC), they applied for the post of Secondary Grade Teacher in any one of the School at Theni District and they have been called to attend the interview. But they were not selected on the ground that no Evaluation Certificate was produced. However, one M.Velmurugan and P.Rajendran have been selected, but subsequently the selection was cancelled. Aggrieved by the same, they have filed Original Application before the then existing Tamil Nadu Administrative Tribunal, Chennai and the Original Application was allowed, as against which, the respondents have also filed Writ Appeals before this Court and the same were dismissed. Thereafter, the respondents have reinstated them in service during the year 2004 and fixed only consolidated pay of Rs.3000/- per month. Aggrieved by the same, the said Velmurugan has filed a writ petition and the same was allowed by this Court. Pursuant to the same, the respondents have re-fixed their salary giving effect from their original date of appointments. But, in the case of the petitioners, even though they



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were placed in the same footing, the respondents have appointed the petitioners only with effect from 26.09.2007 and 19.10.2006 respectively.

Hence, the petitioners have sent representations on 10.01.2018 and 12.01.2018 to extend the benefits of G.O(2D).No.39, Backward Class, Most Backward Class and De-notified Community Welfare (B.Na.3) Department, dated 28.11.2012 followed by an order dated 10.12.2012 made in Se.Mu.No.B2/13598/2001 passed by the 2<sup>nd</sup> respondent. But, till date, no order was passed. Therefore, the petitioners have filed the present writ petitions with the aforesaid prayer.

3. The learned counsel appearing for the petitioners would submit that it would suffice, if the second respondent is directed to dispose of the representations of the petitioners, dated 10.01.2018 and 12.01.2018, on merits and in accordance with law, within a specified period.

4. The learned Additional Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.



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5. Considering the limited request made by the learned counsel for the petitioners, this Court, without going into the merits of the matter, directs the second respondent to consider the representations of the petitioners, dated 10.01.2018 and 12.01.2018, and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above direction, these Writ Petitions are disposed of.  
No costs. Connected miscellaneous petitions are closed.

**14.02.2023**

ssb  
NCC:Yes/No  
Index:Yes/No  
Internet:Yes/No



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To

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**M.DHANDAPANI,J.**

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