



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.1521 of 2020

R.Ganga

... Petitioner

Vs.

- 1.The Principal Secretary,
School Education Department,
Secretariat, Fort St.George,
Chennai.
 - 2.The Director,
Teacher Education, Research and Training,
Chennai – 6.
 - 3.The principal,
District Institute of Education and Training,
Ranipet,
Vellore District.
 - 4.The District Educational Officer,
Vellore,
Vellore District.
- Respondents

...

PRAYER: This Writ Petition has been filed to issue a Writ of Mandamus to direct the respondents to grant the time scale of pay to the petitioner notionally with effect from the date of initial appointment as Sweepers in the first respondent department together with arrears of pay, in the light



of the G.O.Ms.No.260, School Education Department dated 17.12.2018 and give all other consequential benefits by considering the representation dated 08.11.2019 of the petitioner.

For Petitioner : Ms.S.Isairani

For Respondents : Mr.Yogesh Kannadasan, SGP

ORDER

The petitioner has filed this Writ Petition to issue a Writ of Mandamus to direct the respondents to grant the time scale of pay to the petitioner notionally with effect from the date of initial appointment as Sweepers in the first respondent department together with arrears of pay, in the light of the G.O.Ms.No.260, School Education Department dated 17.12.2018 and give all other consequential benefits by considering the representation dated 08.11.2019 of the petitioner.

2. Heard Ms.S.Isairani, learned counsel for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader for the respondents.

3. The learned counsel for the petitioner submitted that the petitioner has been working as Contingent Scavenger from 03.06.1996 on



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daily wage basis and she is entitled to be regularised in view of G.O.Ms.No.22 dated 28.02.2006. The petitioner has made a representation on 08.11.2019 in this regard. Since no action was forthcoming, the petitioner is before this Court.

4. The learned Special Government Pleader appearing for the respondents submitted that the petitioner has not completed ten years of service as on 01.01.2006 which is the crucial date mentioned in G.O.Ms.No.22 dated 28.02.2006.

5. By virtue of G.O.Ms.No.385, Finance (Pay Cell) Department dated 01.10.2010, special time scale was extended to similarly placed employees. But the petitioner has not been given with special time scale of pay on par with other similarly placed employees. Since the petitioner's representation has not been considered so far, the respondents are directed to consider the representation of the petitioner.



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6. In the result, this Writ Petition is disposed and the respondents are directed to consider the representation of the petitioner and pass orders in accordance with the Government Order governing the case of the petitioner and also by taking into consideration of the earlier judicial pronouncements in this regard and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. No costs.

11.01.2024

Index : Yes / No
Internet : Yes/No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk



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To

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R.N.MANJULA, J.

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