



WEB COPY



W.P.Nos.6218 & 6220 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2024

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THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.Nos.6218 & 6220 of 2021 and
W.M.P.Nos.6831 & 6832 of 2021

1.K.Amutha ... Petitioner in W.P.No.6218 of 2021
2.J.Karthick ... Petitioner in W.P.No.6220 of 2021

Vs.

1.Government of Tamil Nadu,
Rep by its Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St.George, Chennai 600 009.

2.The Director of Town Panchayat,
Kuralagam Buildings, Chennai 600 108.

3.The Assistant Director,
Town Panchayat Cuddalore Region,
Cuddalore Town, Cuddalore.

4.The Executive Officer,
Town Panchayat Office,
Kattumannarkoil Taluk,
Cuddalore District.

... Respondents in both W.Ps

Prayer in both W.Ps: Writ Petitions have been filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to regularise the service of the petitioners as Sanitary Workers / Sweepers from the date of initial appointment and give time



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scale of pay by considering the representation dated 20.01.2020 made by the petitioners with all consequential benefits and in accordance with law within a time stipulated by this Court.

In both W.Ps

For Petitioners : Mr.P.Ganesan

For Respondents : Mr.T.Chezhiyan, AGP for R3 & R4

Mr.R.Neethi Perumal, GA for R1 & R2

COMMON ORDER

These Writ Petitions have been filed seeking issuance of a Writ of Mandamus to direct the respondents to regularise the service of the petitioners as Sanitary Workers / Sweepers from the date of initial appointment and give time scale of pay by considering the representation dated 20.01.2020 made by the petitioners with all consequential benefits and in accordance with law within a time stipulated by this Court.

2. Heard Mr.P.Ganesan, learned counsel for the petitioners, Mr.R.Neethi Perumal, learned Government Advocate for the respondents 1 & 2 and Mr.T.Chezhiyan, learned Additional Government Pleader for the respondents 3 and 4.

3. The petitioners who have been working as Scavengers from the year 2008 and 2010 on daily wage basis in the fourth respondent Town



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Panchayat, has filed these Writ Petitions seeking regularisation of their services as per G.O.Ms.No.198, Municipal Administration and Water Supply Department dated 26.10.1998 and G.O.Ms.No.199, Municipal Administration and Water Supply Department dated 12.08.1997.

4. In pursuant to the above Government Orders, an order has been passed in the Writ Petitions in W.P.(MD) No.1083 of 2012 and W.A.(MD).No.555 of 2010 by directing the respondents to absorb the petitioners of that Writ Petition and regularise their services. In compliance thereof, the first respondent has also issued G.O.Ms.No.142, Municipal Administration and Water Supply (TP.1) Department dated 23.09.2015 by regularising the services of the petitioners therein.

5. In the case in hand, the learned counsel for the petitioners submitted that these petitioners have joined service as early as in the year 2008 and 2010; they should have also been brought under the consolidated pay similar to other similarly placed person. As per the above mentioned Government Order, within three years from the date of



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bringing the persons under consolidated pay, their services ought to have get regularised. So far as these petitioners are concerned, they have not given with consolidated pay and neither their services have been regularised. Since the said benefit has been given to the other similarly placed persons, the petitioners should also be treated in a similar fashion.

6. In view of the same, these Writ Petitions are disposed and the respondents are directed to consider the representation of the petitioners dated 20.01.2020 and pass appropriate orders in terms of G.O.Ms.No.198, Municipal Administration and Water Supply Department dated 26.10.1998 and G.O.Ms.No.199, Municipal Administration and Water Supply Department dated 12.08.1997, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

09.01.2024

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



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To

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- 3.The Assistant Director,
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R.N.MANJULA, J.

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