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W.P.No.36326 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.36326 of 2024

W.M.P.No.39203 of 2024

1.P.Subramanian

2.S.Jayakumar

...Petitioners

Vs

1.The Secretary to Government,
Department of Backward Classes,
Most Backward Classes and Minorities Welfare,
Secreteriat,
Chennai - 600 009.

2.The Commissioner,
Most Backward Classes and Denotified Communities Welfare,
Ezhilagam Annexe II Floor, Chepauk,
Chennai-600 005.

3.The District Backward Class Welfare Officer,
District Collectorate,
Villupuram.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 20.09.2024 and consequently direct the respondents to regularize the petitioner's services and grant the time



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scale of pay from the date of joining in accordance with G.O.No.67 dated 02.07.1998 within the stipulated time frame as fixed by this Court.

For Petitioners : Mr.Rishi Nandhan
for Nathan and Associates
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The petitioner has filed this writ petition to issue a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 20.09.2024 and consequently direct the respondents to regularize the petitioner's services and grant the time scale of pay from the date of joining in accordance with G.O.No.67 dated 02.07.1998 within the stipulated time frame as fixed by this Court.

2. The case of the petitioners is that the petitioners were appointed as Assistant Cooks in a Men's Hostel operated by the Department of Backward Classes, Most Backward Classes and Minority Welfare on 27.06.1998 and 23.07.1998 respectively. They were kept in waiting list initially and attended the interview, resulting in the opportunity to work as Assistant Cooks. They have been working in the hostels for almost 26



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years and receive a pay scale of 680-40-40-40. The first petitioner was promoted as security and the second petitioner as Cook, increasing their pay scale to 2550-55-2660-60-3200. The petitioner is currently employed in a Government Hostel and plans to end his employment next year and the second petitioner completed his service last year. They both discovered that they are entitled to a pay scale of 2550-3200 from the date of joining, as per G.O.No.67 dated 02.07.1998. They have taken steps to contact the department and sent a representation dated 20.09.2024 to the respondents, asking them to regularize their services and grant the time scale of pay, but there has been no reply from the respondents till date. Hence this petition.

3. Learned Special Government Pleader appearing for the respondents would submit that the representation of the petitioner will be considered by the respondents on its own merits and in accordance with law, within the time fixed by this Court.

4. In view of the same, without going into the merits of the claim made by the petitioner, this Court is inclined to direct the respondents to consider the representation of the petitioners dated 26.06.2024 on merits and in accordance with law and pass a speaking



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order within a period of twelve(12) weeks from the date of receipt of copy of this order.

5. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

06.12.2024

Index:Yes/No
Speaking order/Non-speaking order
msv

To

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V.BHAVANI SUBBAROYAN,J.

msv

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