



W.P.No.35036 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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1.S.Sankar Ganesh
2.P.Venkatesan
3.A.Jayaraman
4.P.Senthilkumar
5.M.Kamaraj
6.M.Rajendran
7.K.Arulmurugan
8.M.Tamilselvam
9.K.Sudarmani
10.T.Anbarasu
11.M.Mahalakshmi
12.M.Rajkamal
13.K.Madhaiyan

... Petitioners

Vs.

1.The State of Tamilnadu,
Rep.by its Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai 600 009
2.Hill Area Conservation Authority,
Planning and Development Department of Tamilnadu,
Fort St.George, Chennai 600 009
3.The State of Tamilnadu,
Rep. By its Secretary to Government,
School Education Department,
Fort St.George, Chennai 600 009



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- 4.The State of Tamilnadu,
Rep. By its Additional Chief Secretary to Government,
Finance (Pay Cell) Department,
Fort St.George, Chennai 600 009
- 5.The District Collector,
Dharmapuri District,
Dharmapuri 636 705
- 6.The Chief Educational Officer,
Education Department,
Dharmapuri District,
Dharmapuri 636 701
- 7.The Director of Geology and Mining,
Industrial Estate,
Guindy, Chennai 600 032
- 8.The Assistant Director,
Geology and Mining,
Dharmapuri District,
Dharmapuri
- 9.The District Forest Officer,
Dharmapuri District,
Dharmapuri 636 903
- 10.The Headmaster,
Government Higher Secondary School,
Vathalmalai Periyur,
Dharmapuri 636 804
- ... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India
praying to issue Writ of Mandamus directing the second respondent to
consider the representation of the petitioners dated 23.09.2023 and
identify Vathalmalai Periyur in Dharmapuri District as a hill area to



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enable the teachers and government servants working in Vathalmalai Periyur in Dharmapuri District to be eligible for Hill area allowance and winter allowance under GO.Ms.No.306 Finance(Pay Cell) Department dated 13.10.2017 and prepare a report and based on the report of the second respondent, the first respondent may be directed to amend the Sl.No.15 of GO.Ms.No.49, Housing and Urban Development Department dated 24.03.2003 by including Vathalmalai Periyur in Dharmapuri District in the consolidated list of Taluks and Villages which are lying in hill areas within the State of Tamilnadu along with Chittheri Hills in Pappireddipatti Taluk in Dharmapuri District for the teachers and government servants working in Vathalmalai Periyur in Dharmapuri District to be eligible for Hill Area allowance and winter allowances along with their salaries within a time frame to be fixed by this Court.

For Petitioners : Mrs.Nalini Chidambaram,
Senior Counsel
for M/s.C.Uma

For Respondents : Mr.S.Arumugam,
Government Advocate



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ORDER

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This writ petition has been filed for direction to the second respondent to consider the representation of the petitioners dated 23.09.2023 and identify Vathalmalai Periyur in Dharmapuri District as a hill area to enable the teachers and government servants working in Vathalmalai Periyur in Dharmapuri District to be eligible for Hill area allowance and winter allowance under GO.Ms.No.306 Finance(Pay Cell) Department dated 13.10.2017 and to prepare a report and based on the report of the second respondent, the first respondent may be directed to amend the Sl.No.15 of GO.Ms.No.49, Housing and Urban Development Department dated 24.03.2003 by including Vathalmalai Periyur in Dharmapuri District in the consolidated list of Taluks and Villages which are lying in hill areas within the State of Tamilnadu along with Chittheri Hills in Pappireddipatti Taluk in Dharmapuri District for the teachers and Government servants working in Vathalmalai Periyur in Dharmapuri District to be eligible for Hill Area allowance and winter allowances along with their salaries within a time frame to be fixed by this Court.



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2. Heard, the learned counsel appearing on either side.

3. Considering the limited request made by the petitioners, without expressing any opinion on merits of the writ petition, the sixth respondent is directed to consider the representation of the petitioners dated 23.09.2023 and to pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

4. With the above direction, this writ petition is disposed of.
There shall be no order as to costs.

02.01.2024
(2/2)

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
lok



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G.K.ILANTHIRAIYAN, J.

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To

1. Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Chennai 600 009
2. Hill Area Conservation Authority,
Planning and Development Department of Tamilnadu,
Fort St.George, Chennai 600 009
3. Secretary to Government,
School Education Department,
Fort St.George, Chennai 600 009
4. Additional Chief Secretary to Government,
Finance (Pay Cell) Department,
Fort St.George, Chennai 600 009
5. The District Collector,
Dharmapuri District, Dharmapuri 636 705
6. The Chief Educational Officer,
Education Department,
Dharmapuri District, Dharmapuri 636 701
7. The Director of Geology and Mining,
Industrial Estate, Guindy, Chennai 600 032
8. The Assistant Director,
Geology and Mining,
Dharmapuri District, Dharmapuri
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