



W.P.(MD)No.15067 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2025

CORAM

THE HON'BLE MR.JUSTICE M.JOTHIRAMAN

W.P.(MD)No.15067 of 2019

K.Velusamy

... Petitioner

Vs.

1.The Directorate of Rural Development and Panchayat Raj,
Rep.by its Director, Panagal Building,
Chennai-15.

2.The District Collector, Thoothukudi.

3.Block Development Officer / Spl Officer,
Inammaniyachi Panchayath,
Kovipatti Taluk,
Thoothukudi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to regularise the petitioner's service in the third respondent panchayat as a sanitary worker and fix the scale of pay as per law laid down by the Hon'ble Supreme Court in State of Punjab and others Vs. Jagjit Singh and Others (2017 (1) SCC 148) and Sabha Shanker Dube Vs. Divisional Forest Officer and Ors. (2018 (14) Scale 765) and also the order passed by this Court in W.P.(MD)No.24081 of 2019 within a time frame fixed by this Court.



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For Petitioner : Mr.S.Siva Ilayaraja
For R1 & R2 : Mr.G.V.Vairam Santhosh,
Additional Government Pleader.
For R3 : Mr.A.Thiyagarajan

ORDER

This writ petition has been filed seeking a direction to the respondents to regularise the petitioner's service in the third respondent panchayat as a sanitary worker and fix the scale of pay.

2.It is the case of the petitioner that he joined under the third respondent Panchayat as Sanitary Worker on 03.02.2002. At that time his monthly salary was paid Rs.330/-, then it was gradually increased and now, he is drawing Rs.2520/- as monthly salary, even after working 17 years as Sanitary staff. Only two sweeper / sanitary staff is working in the third respondent panchayat to look after the cleanness and garbage removal, drainage cleaning in the entire village, which consist around ten thousand houses and commercial establishment. The last fixation of salary was in the year 2011 and thereafter, there is no revision in pay he is drawing salary relatively low, which is far lower than the minimum wages fixed by the government vide G.O.No.61 dated 11.10.2017 under



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the provisions of minimum wages act. Further, this Court in W.P. (MD)No.24081 of 2018 dated 31.09.2019 directed to pay equal pay for equal work for the sweepers engaged by Madurai Corporation followed by the dictum laid down by the Hon'ble Supreme Court in State of Punjab and others Vs. Jagjit Singh and Others and Sabha Shankar Dube Vs. Divisional Forest Officer and Others. Hence, this writ petition.

3.The learned counsel appearing for the petitioner would submit that the petitioner joined third respondent as Sanitary Worker on 03.02.2002, at that time, his monthly salary was paid Rs.330/-, then it was gradually increased and now, he is drawing Rs.2520/- as monthly salary, even after working 17 years as Sanitary staff. He would submit that the petitioner has sent a representation dated 02.07.2018 to the District Collector, Thoothukudi and the same is still pending and no response from the second respondent herein. He would draw attention of this Court to the letter dated 03.04.2006 issued by the third respondent to the writ petitioner wherein it has been stated that a request made by the writ petitioner is under consideration. He would submit that a direction may be issued to the respondents 2 & 3 to consider the representation of the petitioner dated 02.07.2018.



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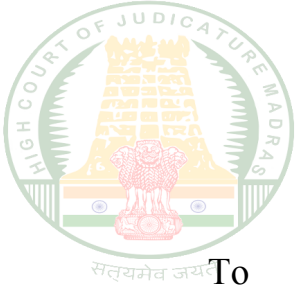
4.The learned Additional Government Pleader appearing for the respondents 1 & 2 and the learned counsel appearing for the third respondent have no serious objection to consider the representation of the petitioner.

5.In view of the limited prayer now raised by the learned counsel appearing for the petitioner, this Court, without going into the merits of the case, directs the respondents 2 & 3 to consider the representation of the petitioner dated 02.07.2018, on merits and in accordance with law and pass orders, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition is disposed of. No costs.

NCC : Yes / No
Index : Yes / No
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M.JOTHIRAMAN, J.

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