



W.P.(MD).No.19515 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 17.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.19515 of 2025

M.Umadevi

... Petitioner

-VS-

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai - 9.
2. The Principal Secretary,
Department of Social Welfare and Nutritious Meal Programme,
Chennai.
3. The State Commissioner For the Differently Abled,
Commissionerate For the Welfare of the Differently Abled,
No.5, Kamarajar Salai,
Lady Wellington College Campus,
Chennai – 600 005.
4. The Director,
Adi-Dravidar and Tribal Welfare Directorate,
Chepauk,
Chennai- 600 005.
5. The District Adi Dravidar and Tribal Welfare Officer,
Collectorate Campus,
Tirunelveli,
Tirunelveli District.

... Respondents



W.P.(MD).No.19515 of 2025

WEB COPY

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent nos.3 to 5 to regularize the service of the petitioner in the post of sweeper and to fix the petitioner under regular time scale of pay with consequential benefits on par with other similarly placed employees (Sweepers) working in School Education Department, Police Department, Medical Department, Judicial Department in light of G.O.(Ms)No. 151, Department of Social Welfare and Nutritious Meal Programme dated 16.10.2008 by considering the representation of the petitioner dated 07.04.2025 within the time period stipulated by this Court.

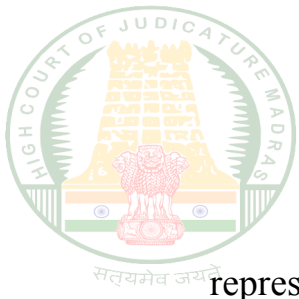
For Petitioner : Mr.G.Karthik

For Respondents : Mr.K.Balsubramani

Special Government Pleader

ORDER

This writ petition has been filed seeking a direction to the respondents 3 to 5 to regularize the service of the petitioner in the post of sweeper and to fix the petitioner under regular time scale of pay with consequential benefits on par with other similarly placed employees (Sweepers) working in School Education Department, Police Department, Medical Department, Judicial Department, in the light of G.O.(Ms)No. 151, Department of Social Welfare and Nutritious Meal Programme dated 16.10.2008 by considering the



W.P.(MD).No.19515 of 2025

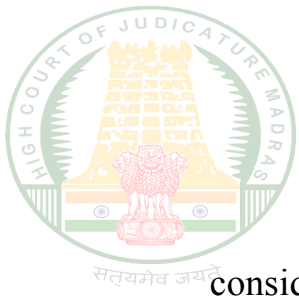
WEB COPY

representation of the petitioner dated 07.04.2025 within the time period stipulated by this Court.

2. By consent of both parties, this writ petition is disposed at the stage of admission itself.

3. The petitioner was appointed as 'Part-time Sweeper' under the persons with disability quota on 31.05.2012 and she is now working under the fifth respondent. The Government Order in G.O.Ms.No.151, Department of Social Welfare and Nutritious Meal Programme, dated 16.10.2008, has been issued to regularize and provide time scale of pay for physically disabled persons, who are working on consolidated pay for more than two years. The grievance of the petitioner is that similarly placed persons as that of the petitioner were given regular time scale of pay. However, the same has not been given to her. Hence, the petitioner made a representation to the respondents dated 07.04.2025 in this regard. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

4. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to



W.P.(MD).No.19515 of 2025

WEB COPY

consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

5. In the light of the above observations, there shall be a direction to the fourth respondent to consider the petitioner's representation dated 07.04.2025 on its own merits and pass appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the respondents to consider the same on its own merits.

6. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs.

17.07.2025

NCC : Yes/No
Index : Yes / No
sm



W.P.(MD).No.19515 of 2025

WEB COPY

TO:-

1. The Secretary,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai - 9.
2. The Principal Secretary,
Department of Social Welfare and Nutritious Meal Programme,
Chennai.
3. The State Commissioner For the Differently Abled,
Commissionerate For the Welfare of the Differently Abled,
No.5, Kamarajar Salai,
Lady Wellington College Campus,
Chennai – 600 005.
4. The Director,
Adi-Dravidar and Tribal Welfare Directorate,
Chepauk,
Chennai- 600 005.
5. The District Adi Dravidar and Tribal Welfare Officer,
Collectorate Campus,
Tirunelveli,
Tirunelveli District.



WEB COPY



W.P.(MD).No.19515 of 2025

VIVEK KUMAR SINGH, J.

sm

Order made in
W.P.(MD)No.19515 of 2025

Dated:
17.07.2025