



WEB COPY

WP No.24964 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

WP No. 24964 of 2023

A.Chinnadurai

..Petitioner

Vs

1. The State of Tamil Nadu,
Represented by its Additional Chief Secretary/
Commissioner Of Revenue Administration,
Chepauk, Chennai 05.
2. The District Collector,
Salem District, Salem.

..Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the order of the 1st respondent dated 27.06.2023 in Se.Mu.A.No.Pani- 4(1)/02-9/20/2022 and quash the same and consequently direct the respondents to pay the Special Time Scale of pay to the petitioner as per G.O.(Ms) No.385, Finance Department dated 1.10.2010.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mrs.P.Aishwarya
Government Advocate



ORDER

The present writ petition has been filed for a writ of certiorari, challenging the order of first respondent dated 27.06.2023 in Se.Mu.A.No.Pani-4(1)/02-9/20/2022, whereby petitioner's request for special time scale of pay was rejected.

2. Brief facts:

2.1. Petitioner worked as a Sweeper/Sanitary worker in the office of Special Tahsildar (Land Acquisition), Salem-Karur Broad Gauge Projects, Salem Taluk, Salem District, on consolidated pay of Rs.400/- per month from 01.12.2009 to 31.12.2011. From July 2012, he was getting a consolidated pay of Rs.500/- per month and from December 2013, he was getting a consolidated pay of Rs.860/- per month.

2.2. Subsequently, the Government of Tamil Nadu vide G.O.Ms.No.385, Finance Department dated 01.10.2010 has ordered that Sweepers working in Government Offices and Local Bodies on daily wages and on consolidated pay are to be given Special Time Scale of Pay at Rs.1300 - 3000/- + Rs.300/- on condition that they should have at least worked for three years. According to petitioner, he has fulfilled the above condition.



3. Learned Government Advocate for respondents would submit that petitioner was working as a Sweeper in the office of Special Tahsildar (Land Acquisition), Salem-Karur Broad Gauge Project, Salem, which itself was disbanded on 30.06.2015 and subsequently, petitioner was appointed as Office Assistant in the office of Special Tahsildar (LA) Unit. IV, Salem on consolidated pay, which was also disbanded. Petitioner is presently not working, thus the question of fixing the pay of petitioner from consolidated pay to time scale of pay may not arise. Therefore, he would also submit that it is not very clear that petitioner would satisfy the condition of having worked for at least three years. Having stated that learned Government Advocate would submit that petitioner may submit a fresh representation seeking relief, which he finds it appropriate and if any such representation is made, the same would be considered and appropriate orders would be passed but would however submit that the challenge to the impugned order is completely lacking merit.

4. Learned counsel for petitioner would submit that he would not press the challenge to impugned order, however only request that petitioner may be permitted as suggested by learned Government Advocate for respondents to submit a representation seeking relief, which he may be entitled to and that such representation may be considered, if it is otherwise in accordance with law, agreed to by learned Government Advocate for respondents.



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5. Heard the counsels and perused the materials available on record.

6. In view of the limited relief that is prayed, this court is inclined to dispose of writ petition with following directions:

i) It is open to petitioner to submit a representation before respondents, within a period of three weeks from the date of receipt of a copy of this order.

ii) If any such representation is submitted by petitioner, respondents shall consider the same and pass orders, after affording petitioner an opportunity of hearing, within a period of six weeks, from the date of filing of any such representation.

7. Accordingly, the writ petition stands disposed of. There will be no order as to costs.

12-03-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
MRN



To

1. The Additional Chief Secretary/
Commissioner of Revenue Administration,
Chepauk, Chennai 05.

2. The District Collector
Salem District,
Salem.

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MOHAMMED SHAFFIQ, J.

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