



WEB COPY

W.P.No.10930 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2026

CORAM

THE HON'BLE MR.JUSTICE T. VINOD KUMAR

WP No. 10930 of 2021

1. D.Somasundaram
S/O. OF N. Dhanasingh 5A Dr. Ambekar Road
Gidanganal-2 Tindianam
604001 villupuram District.
2. S.Kapil Dev S/o. Of Sriragan
Kalikuppam village Valayalkaapatti post
Madhanur Via Vellore District.
3. D.Rajarajacholan
S/O. OF G.Devanthant Pillayar Koil Steet
Panapakkam villupuram- 705601
4. K.Panjamuthu S/o. Of T.Kandaswamy
2/43, Avvai Kudil Mariamman Koil Street Vepur
Taluk cuddalore District.
5. I.Raja S/o. Of K.Irulandi
650/A2 tHIRUVALLUR COLONY
Thiruthangal- 626130



6. S.Divya W/o. L Hariprasath
2/596 Unani Vaithiyar lane
Pampatti Street East Gate Thanjavur

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7. D.Kalaiselvan S/o. Of Devadoss
Kummilankulli post kallathur Udayarpalayam
Taluk Ariyalur District.

8. M.Abdul Hameed
S/O. OF K. Maideen No 11/23 Appar Salai
kapper Hills Road Old Vandipalayam Cuddalore
District

9. TMT. Manjula w/o. of E. Thirunavukkarasu
No 176 Thiruvakkarasu Street
Gnanamurthy Nagar Ambattur
chennai- 53

10.P.Parimala W/o. Of
M.Sakthiganesh 50/2A NGO Nagar
Thirumangalam Madurai District.

11.A.Kalima Banu
D/O. O A.ABDUL RAJACK 2C
Paranginathapuram West
Vruduunagar- 626001

12.P.Kanmani S/o. Of R.Sathiyamoorthy
2/10



Old No 1, perumal Mela Vadam Pokki Street
Velipalayam Nagapattuma- 611001

13.S.Ilaiyaraja

S/O. OF S.SOUNDARARAJAN 291, Mela
Street Neivasal South
Orathanadau Taluk Thanajvur District.

14.K.Esaiikaraj

S/O. OF U. Kannupandi 252/4, North Street
Devarkulam Sankarakoil Taluk
Tirunelveli district.

15.R.Seethalakshmi W/o Of

S.MUTHIAH 43, Perumal East Car Street
Palayamkottai Tirunelveli- 627002

16.S.Dhansekaran

S/O. OF N.SUBRAMNAIAM 59, Avalur
Elumathur post Erode- 638104

..Petitioner(s)

Vs



1. The Government of Tamil Nadu
rep by the Additional chief Secretary to
Government Finance (CMPC) Department
Fort.st.George chennai- 9
2. The Director of Animal Husbandry
and Veterinary Services chennai- 6
3. The Tamil Nadu Public Service
Commission chennai- 3 rep by its Secretary.

..Respondent(s)

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the first respondent in G.O.MS. No.457 Finance (CMPC) Department dated 23.12.2020 and quash the same and direct the respondents to grant the petitioners higher start of pay at two stages above the minimum of scale of pay for possessing degree qualification at the time of selection by the TNPSC in the lights of the orders passed by the first respondent in letter No.2680/PC/2018-5 Finance (Pay cell) dated 19.9.2018 and grant them all consequential benefits.

For Petitioner(s): Mr.P.Mohanraj

For Respondent(s): Mr.Azizulla Khan, GA for R1

Mrs.V. Yamuna Devi,SGP for R2

ORDER

Heard the learned counsel for the petitioners and the learned Special Government Pleader and Government Advocate appearing on behalf of the respondents 1 and 2 respectively and perused the material papers placed on



record.

2. In view of the order which this Court proposes to pass in the present Writ Petition, WMP.No.11569 of 2021 filed by the petitioners seeking permission to join together and file a Single Writ Petition, is ordered.

3. The petitioners in the present Writ Petition has assailed the action of the first respondent in issuing of the proceedings in G.O.Ms No.457, Finance (CMPC) Department, dated 23.12.2020 and to quash the aforesaid G.O. and to grant higher start of pay at two stages above the minimum scale of pay for possessing degree qualification at the time of selection by the Tamil Nadu Public Service Commission [TNPSC], in the light of the orders passed by the first respondent in Letter No.2680/PC/2018-5, Finance (Pay Cell) dated 19.09.2018.

4. When the Writ Petition is taken up for hearing, the learned counsel for the petitioners has drawn the attention of this Court to the order passed by the Hon'ble Judge of this Court in W.P.No.13226 of 2020, wherein this Court had considered the similar issue arising out of the Government letter dated 19.09.2018 and had quashed the G.O. impugned therein, by which the

5/10



petitioners therein were denied the benefits of higher start of pay at various stages.

5. On behalf of the petitioners, it is contended that the petitioners in the present Writ Petition are similarly placed and the aforesaid order of the Co-ordinate Bench of this Court will apply in all force to the facts of the present case.

6. The learned Special Government Pleader appearing on behalf of the respondents while not disputing the aforesaid submission of the Court in the aforesaid decision having quashed the G.O. by which the petitioners therein were denied the benefits of higher start of pay for possessing the degree qualification at the time of selection by the TNPSC and this Court granting all the consequential benefits to the petitioners therein, however would submit that aggrieved by the aforesaid order of this Court, the Finance Department of the State had preferred a Writ Appeal and the same is pending adjudication.

7. This Court had taken note of the respective submissions.



8. Though on behalf of the respondents, it is contended that a writ appeal has been preferred against the order passed by this Court in W.P.13226 of 2020 dated 21.12.2024, on being queried by this Court as to whether the appeal has been taken on record and if any stay has been granted or the said order is suspended by the Division Bench of this Court, the learned Special Government Pleader appearing on behalf of the respondents fairly submitted that the said Writ Appeal preferred by the Finance Department is at SR stage and is not even numbered.

9. Taking note of the aforesaid submissions made by the learned Special Government Pleader and also noting the fact that mere filing of an appeal by itself would not amount to the operation of the order of this Court been stayed or the effect of the order is suspended and also having regard to the fact that the issue involved in the present Writ Petition having been adjudicated by the Co-ordinate Bench of this Court by order dated 21.12.2024 in W.P.No.13226 of 2020 and since more than a year has passed since then, this Court sees no reason to take a different view in the present Writ Petition.



10. In view of the above and for the reasons alike as set out in the order in W.P. No.13226 of 2020, this Court is of the view that the proceedings vide G.O.Ms No.457, Finance (CMPC) Department, dated 23.12.2020 impugned in the present Writ Petition cannot be sustained. Accordingly, the impugned G.O.Ms No.457, Finance (CMPC) Department, dated 23.12.2020, is quashed and the respondents are directed to grant higher start of pay at two stages, above the minimum scale of pay for possessing the degree qualification at the time of selection by the TNPSC in the light of the orders passed by the first respondent dated 19.09.2018 and grant the petitioners all the consequential benefits from the date they are entitled to, within the period of three months from the date of receipt of a copy of this order.

11. In the result, the Writ Petition stands allowed. There shall be no order as to costs.

28-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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8/10



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rep by the Additional chief Secretary to
Government Finance (CMPC) Department
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10/10