

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

CORAM

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.A.No.1396 of 2023

J.Getsie Arul Vasanthi
 Head Mistress, Sarojini Varadhappan Girls
 Higher Secondary School, Poonamallee,
 Chennai-56

..Appellant

-VS-

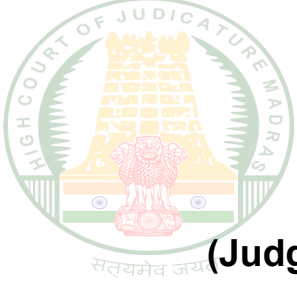
1. The Correspondent
 Sarojini Varadhappan Girls Higher
 Secondary School, Poonamallee,
 Chennai-56.
2. The District Educational Officer
 The office of the Educational Officer,
 Thiruvallur, Thiruvallur District
3. The Director of School Education,
 College Road, Chennai – 600 006.
4. The Secretary to Government of
 Tamilnadu, Education Department,
 Fort St George, Chennai – 600 009.

... Respondents

Prayer: To set aside the order dated 01.06.2023 made in W.P.No.5146 of 2015 and allow the present writ appeal.

For Appellant: Mr.P.Ganesan

For Respondents: Dr.R.Gouri,
 Govt. Counsel for R2 to R4



J U D G M E N T

(Judgment of the Court was delivered by S.M.Subramaniam J.)

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Writ Order dated 01.06.2023 passed in W.P.No.5146 of 2015 is under challenge in the present writ petition. Writ Petitioner is the appellant herein.

2. Writ Petitioner / Appellant was appointed as Headmistress on 01.06.2010. After grant of annual increment, her scale of pay was fixed. Appellant mainly claimed refixation based on G.O.Ms.237 Finance (Pay Cell) Department dated 22.07.2013. The Government Order was issued for refixation of pay as per Rule 4(3) of Tamil Nadu Revised Scales of Pay Rules, 1989 and refixation of pay of seniors on par with their juniors whose pay has been refixed under Rule 4(3).

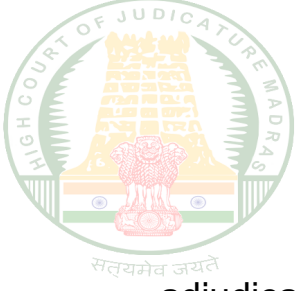
3. In the present case, proposal submitted by the 1st respondent Aided School was rejected by the District Educational Officer, Tiruvallur vide proceedings dated 13.04.2015 on the ground that appellant is not eligible for refixation of pay under Rule 4(3). Writ Court elaborately considered and adjudicated issues regarding eligibility and suitability of appellant for refixation of pay and made a finding in Paragraph No.11, which reads as under:



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“11. The said Government Order No.25 dated 23.03.2015 will also not be applicable to the petitioner. Only if her junior had been promoted as Headmaster/ Headmistress and both are in the same post and if the junior still gets more pay than her, then the petitioner can claim same scale on par with her junior. But in the instant case, the petitioner was appointed as PG Assistant in the respondent school on 03.06.1991. Subsequently she was also granted selection grade in the post of PG Assistant on 03.06.2001. Thereafter, she was promoted as Headmistress in the 1st respondent school w.e.f. 01.06.2010. As pointed out by the Learned Additional Government Pleader, the petitioner and her subordinate belong to different cadres. An employee can raise the issue of stepping up of pay on par with his junior only when both of them belong to same cadre and are drawing pay in identical pay scales. The junior of the petitioner is only Post Grade Assistant, whereas the petitioner being appointed to the higher post of Headmistress, cannot raise such a plea. Further, G.O.Ms.No.234 or G.O.25 will in no way be of any benefit to the petitioner as she does not fulfill the condition in the said G.Os. Thus, the claim of the petitioner cannot be considered.”

4. That apart, fixation of pay is a complex issue, which is to be normally decided by competent Authority of the Government. District Educational Officer rejected her claim, which was elaborately



S.M.SUBRAMANIAM J.
AND
N.SENTHILKUMAR J.
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adjudicated by Writ Court and held that appellant is not eligible for refixation of pay. Thus, this Court does not find any reason to interfere with the order of Writ Court.

Consequently, the present Writ Appeal is dismissed. No costs.

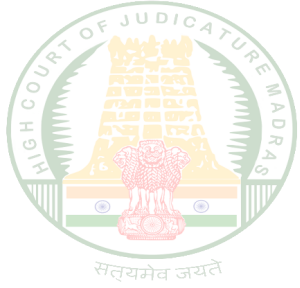
(S.M.S.,J.) (N.S.,J.)
08-07-2026

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

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