

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WP.Nos.12394 and 12395 of 2007 (T)

(O.A.No.5566/2002 and 5567/2002)

1.N.B.John

2.A.Gunasekaran

3.M.Palanichamy

4.C.V.Muralitharan

5.B.Kannabiran

Petitioners-WP.12394/2007

1.K.Gunasekaran

2.M.J.Premnath

Petitioners-WP.12395/2007

Vs

1.The Government of Tamil Nadu by Secretary to Government
Finance (Pay Cell) Department, Fort St.George, Chennai-9

2.The Director General
of Police, Chennai-4

Respondents in both WPs

Prayer:- These Writ Petitions came to be filed by transfer of OA.Nos.5566 and 5567 of 2002 from the file of the Tamil Nadu Administrative Tribunal, Chennai to issue a Writ of Mandamus to direct the Respondents to fix the selection grade pay of the Petitioners in the scale of pay of Rs.5000-150-8000 and to grant all consequential benefits to them.

For Petitioner : Mr.P.Rajendran

For Respondent : Mr.S.Gunasekaran, AGP

ORDER

In these Writ Petitions, the Petitioners seek for a direction to the Respondents to fix the selection grade pay of the Petitioners in the scale of pay of Rs.5000-150-8000 and to grant all consequential benefits to them.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. The Petitioners are seeking for revision of

selection grade scale of pay without restricting the selection grade scale of pay to the first level promotion post. Whereas the Respondents would contend that for posts having promotional posts in their regular line, grant of selection grade scale above the ordinary grade of promotion post would result in anomalous situation of placing persons in higher post on a lower scale compared to persons in lower post (selection grade) and in order to avoid discontentment among senior persons in higher post, the selection grade scale in such cases shall be restricted to ordinary grade of first level promotion post and the special grade shall be restricted to the ordinary grade of the second level promotion posts and the employees in the existing special temporary posts shall be treated as holders of selection grade in the revised pay structure. Therefore, it is only an anomaly, which cannot be sought for by the Petitioners. Further, the Petitioners had also retired long back. Hence, the Writ Petitions are closed, as nothing survives. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

Srcm

To:

1.The Secretary to Government,
Government of Tamil Nadu,
Finance (Pay Cell) Department,
Fort St.George, Chennai-9

2.The Director General of Police, Chennai-4

+1 CC to Mr. P. Rajendran, Advocate, Sr.46910,

+1 CC to Mr. P. Rajendran, Advocate, Sr.46911[27/9/16]

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SV (CO)

MD : 14/09/2016

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