

IN THE HIGH COURT OF JUDICATURE AT MADRAS

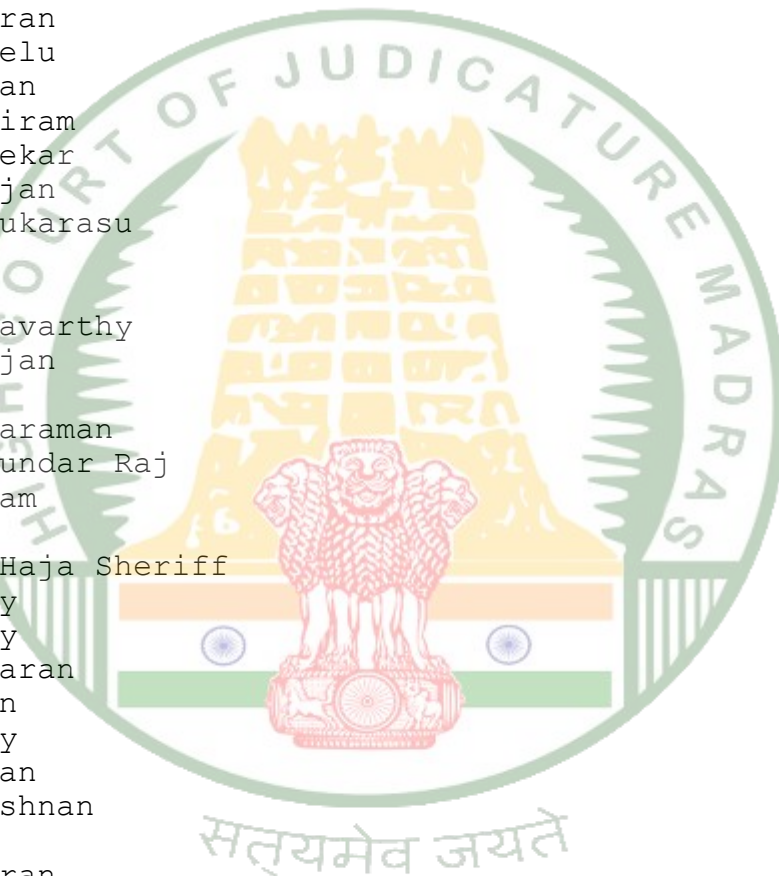
DATED: 06.7.2017

CORAM

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH  
AND  
THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Writ Appeal Nos.736 to 739 of 2012

1. N.Rajasekaran
2. V.Rathinavelu
3. G.Arivalagan
4. V.S.Kannayiram
5. R.Chandrasekar
6. N.Pandiarajan
7. R.Thirunavukarasu
8. V.Rathinam
9. R.Duraiaraj
- 10.N.K.Chakkravarthy
- 11.G.Theagarajan
- 12.S.Kannan
- 13.M.S.Venkataraman
- 14.S.Joseph Sundar Raj
- 15.S.Mahalingam
- 16.R.Devadass
- 17.K.A.M.B.S.Haja Sheriff
- 18.M.Kuppusamy
- 19.N.Rengasamy
- 20.A.Muthukumaran
- 21.R.Angurajan
- 22.R.Nallusamy
- 23.S.Srinivasan
- 24.V.Radhakrishnan
- 25.R.Lingan
- 26.K.N.Chandiran
- 27.M.A.Hiriyar
- 28.T.S.Bellan
- 29.P.Annamalai
- 30.P.R.Vaidyanathan
- 31.S.Viswanathan
- 32.V.Ponnuvel
- 33.T.Thanikachalam
- 34.N.Janardhanan
- 35.A.V.Raghavan
- 36.R.N.Bathrachalam
- 37.A.Ayyapillai
- 38.S.Annamalai



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39.G.Jayakumar  
40.U.Balasubramanian  
41.S.Premanathan  
42.N.V.Krishnamurthy  
43.M.Jayaraman  
44.P.Selvaraj  
45.K.Sundararaman  
46.V.Rajagopal  
47.S.Altaf Mohamed  
48.M.S.Jaihind Rajan  
49.P.V.Jayakumar  
50.S.V.Subramanian  
51.V.Lakshminarayan  
52.R.Ranganathan  
53.K.Hanumantha Rao  
54.S.Arunachalam  
55.K.Gurusamy  
56.T.P.Devaraj  
57.K.Chandrakumar  
58.B.V.Anandan  
59.S.Chandrasekaran  
60.K.Muthaiyan  
61.A.Nathar Bava  
62.Pr.P.Perkhiappan  
63.P.Badri Narayanan  
64.K.R.Chokalingam  
65.K.V.Subramanian  
66.A.Gopalakrishnan  
67.N.Nagaraju  
68.R.Thulasimani  
69.P.Thiruvengadasamy  
70.M.S.Duraiswamy  
71.K.A.Kulandhiappan  
72.V.G.Arunachalam  
73.V.K.Nagarajan  
74.V.R.Varadharajan  
75.K.Subramanian  
76.C.Venkatachalam  
77.M.Jamal Mohideen  
78.P.Muthusamy  
79.P.Athiyanan  
80.K.Mohan  
81.K.Rangasamy  
82.C.Swami Kannu  
83.P.Sambasivam  
84.A.Kuppuswami  
85.N.K.Ramasamy  
86.V.V.Soundararajan  
87.K.Jagannathan  
88.C.T.Shanmugam



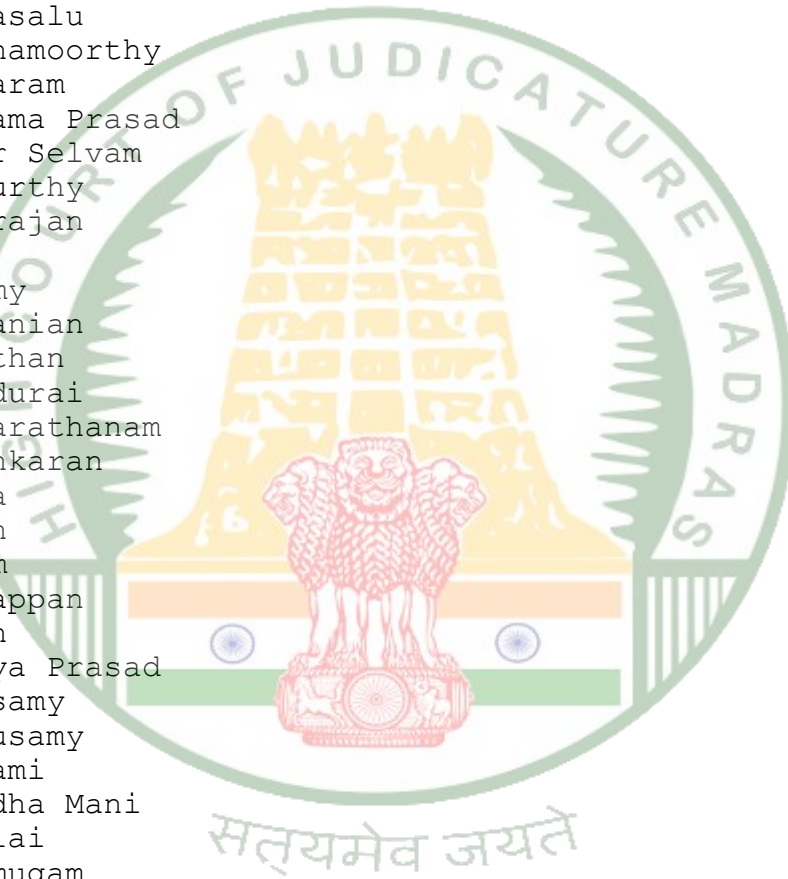
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89.S.B.Mohammed Habib  
90.K.J.Subban  
91.Y.K.Chandrasekaran  
92.A.Soundarapandian  
93.P.Kumarasamy  
94.R.Devarajan  
95.A.Muneer Ahamed  
96.T.Bellie  
97.K.Balakrishnan  
98.K.Kadirvelu  
99.R.Jagath Narayanan  
100/P.Balakrishnan  
101.D.Nandagopal  
102.S.Vijayan  
103.A.Arthanarisami  
104.R.Mahalingam  
105.D.Thangamuthu  
106.V.K.Chenniappan  
107.G.A.Sivaraman  
108.A.Ramasami  
109.K.Naniayyan  
110.G.Ramachandran  
111.G.Rajamannar  
112.V.Sabanayagam  
113.S.Venkatesan  
114.J.William Paul  
115.K.Sargunam  
116.P.K.Anaiappan  
117.T.Ganapathy  
118.C.Isravel  
119.P.Sankarapandian  
120.S.M.Jalaludeen  
121.S.Manu Selvanayagam  
122.A.Francis Vedamanickam  
123.P.Chelliah  
124.P.Bagavathi Sundaram  
125.N.K.Ganapathy  
126.A.Avudaiayagam  
127.K.Somasundaram  
128.M.K.S.Moni  
129.M.Athimoolam  
130.M.S.Mohamed Ali  
131.M.Chandrasekaran  
132.S.Arunachalam  
133.S.Subramanian  
134.S.Prince  
135.S.Sampitchai  
136.M.I.Abdul Hameed  
137.R.Balasubramanian  
138.B.Senthamil Selvan



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139.K.M.Ramanathan  
140.D.Jayachandran  
141.S.Rama Murthi  
142.K.S.Ramakrishnan  
143.M.Jothi  
144.S.Janarthanam  
145.R.Palaniappan  
146.K.N.Kumaran  
147.S.Balasubramanian  
148.S.Kaliaperumal  
149.S.Vaithilingam  
150.M.S.Swaminathan  
151.N.Srinivasalu  
152.R.Dakshinamoorthy  
153.K.V.Sundaram  
154.D.Sitharama Prasad  
155.S.Panneer Selvam  
156.V.Kaliamurthy  
157.N.Thiagarajan  
158.P.Jayam  
159.U.Velusamy  
160.G.Subramanian  
161.G.Saminathan  
162.C.Chinnadurai  
163.C.Kalyanarathanam  
164.S.Sivasankaran  
165.M.Rajappa  
166.K.Janagan  
167.T.Manikam  
168.R.Palaniappan  
169.S.Murugan  
170.K.N.Sathya Prasad  
171.R.P.Ramasamy  
172.S.V.Ponnusamy  
173.P.Kandasami  
174.S.Sambandha Mani  
175.P.Annamalai  
176.S.M.Shanmugam  
177.M.Natesan  
178.D.Paramasivam  
179.S.Balakrishnan  
180.K.M.Rathinam  
181.S.L.Rajarathinam  
182.M.Sivaprakasam  
183.S.Kanagasabai  
184.V.S.Shanmugasundaram  
185.V.Ayyamperumal  
186.V.Perumal  
187.K.K.Duraisamy  
188.S.Somasundaram



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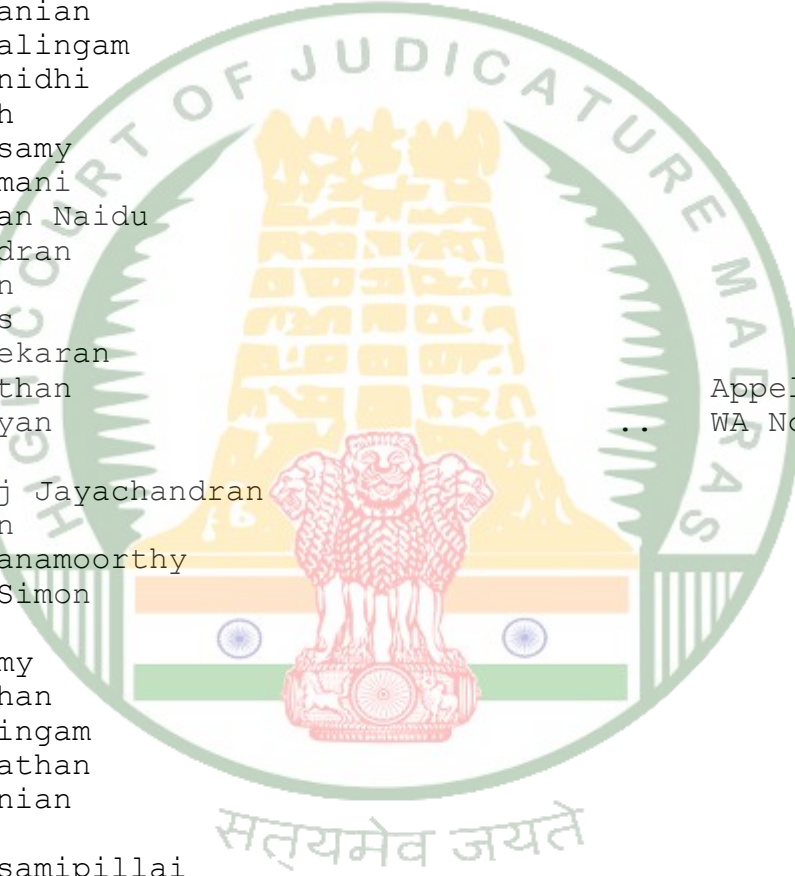
189.M.Muthusamy  
190.V.Thigarajan  
191.N.Jagadeesan  
192.T.Gunasekaran  
193.M.Madhesan  
194.A.Palaniappan  
195.P.Subramanian  
196.P.Dhasarathan  
197.V.Kandasamy  
198.D.Gobisankar  
199.S.Durai  
200.Chinnathambi  
201.S.Subramanian  
202.R.Amirthalingam  
203.S.Karunanidhi  
204.P.Sampath  
205.S.N.Gurusamy  
206.J.Thangamani  
207.R.Mukundan Naidu  
208.M.G.Chandran  
209.S.Ganesan  
210.S.Francis  
211.H.S.Rajsekaran  
212.N.Loganathan  
213.N.Balarayan

Appellants in  
WA No.736/12

1. S.Selvaraj Jayachandran  
2. A.Sankaran  
3. C.C.Narayanamoorthy  
4. I.Harold Simon  
5. V.Sampath  
6. S.Duraisamy  
7. P.Loganathan  
8. M.Chockalingam  
9. Y.Arumainathan  
10.S.Subramanian  
11.K.Raju  
12.N.Krishnasamipillai  
13.S.E.Jayakumar  
14.Vijaya Kannan  
15.V.Kalaivani

Appellants in  
WA No.737/12

1. M.Bose  
2. P.Ramaraju  
3. D.Purushothaman  
4. N.S.Kadiroli  
5. S.Arumugam  
6. M.Ramanujam  
7. Siva Cheellappa  
8. R.Jeyaseelan



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9. J.A.Jesudason
- 10.P.Mustaffa
- 11.K.R.Desikan
- 12.P.Muthumani
- 13.N.Muthusamy
- 14.A.M.Sheik Ahamed Hussain
- 15.A.S.Dhandayutham
- 16.A.V.Srinivasan
- 17.T.R.Rajaram
- 18.K.Shanmugasundaram
- 19.S.Perumal
- 20.M.Kadar Mohideen
- 21.K Muthusubbaram
- 22.V.Rajaguru
- 23.P.Krishnamoorthy
- 24.P.Gandhi Raja
- 25.I.Gnananvaram
- 26.A.P.Ramdhass
- 27.V.Gopalakrishnan
- 28.K.A.Shahul Hameed
- 29.A.Soundarapandian
- 30.S.Subramanian
- 31.A.Jeyabalan
- 32.M.Krishnan
- 33.S.Murugesan
- 34.S.Ramakrishnan
- 35.V.K.Panasamy
- 36.C.Vella Pandian
- 37.K.Chellamuthu
- 38.P.Manickavelu
- 39.T.S.Venkaramanan
- 40.A.Dhanushkodi
- 41.G.Mahalingam
- 42.S.Muthuramakrishnan
- 43.S.Subramanian
- 44.Danil Manoharan Premkumar Paul
- 45.V.Dhanusu
- 46.M.Thirugnanasambandam
- 47.K.Radhakrishnan
- 48.M.Kannaiyan
- 49.P.Sivasankaran
- 50.D.Srinivasan
- 51.S.Mohamed Ibrahim
- 52.T.Rajaram
- 53.K.Gangadharan
- 54.G.A.Venugopal
- 55.C.Ramachandran
- 56.A.Dheenadayalan
- 57.J.Nagaiya
- 58.V.Marimuthu



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59.P.Narasimhan  
60.S.Masilamani  
61.K.Radhakrishnan  
62.P.S.Thejomorthy  
63.N.Rajamani  
64.T.V.Gnanadesikan  
65.P.R.Venugopal  
66.Nisar Ahmed Khan  
67.K.V.Ganapathi  
68.A.Abdul Jabbar  
69.S.Somasundaram  
70.P.Subramanian  
71.K.Shanmugham

Appellants in  
.. WA No.738/12

1. J.Inayathullah  
2. K.Sivasubrmanyan  
3. P.Gopal  
4. N.Dayanandam  
5. C.Narasingaraj  
6. J.L.Harry Jeyaprakash  
7. D.R.Parthasarathy  
8. R.Perumal  
9. Baby Shanmugam  
10.I.Dorairajan  
11.K.Sethusubramanian  
12.V.Jayachandran  
13.K.Selvam  
14.D.Jeyachandran  
15.G.Natarajan  
16.Pl.Annamalai  
17.V.Jeeva  
18.S.N.Vivekanandan  
19.B.Sundarambal  
20.L.N.Ramiah  
21.R.Muthulakshmi  
22.M.A.Vasanth  
23.M.Kanthimathi  
24.M.N.Jayaraman  
25.A.Savundararaj  
26.Meena Pitchumanai  
27.S.Rahtinasabhpathi  
28.R.Ranibai  
29.S.K.Palanisamy  
30.Suseela Krishnamoorthy

सत्यमेव जयते

Appellants in  
.. WA No.739/12

Vs.

1.The Secretary to Government  
Finance Department  
Fort St. George  
Chennai 9.

2.The Secretary to Government  
Agriculture Department  
Fort St. George  
Chennai 9.

3.The Commissioner of Agriculture  
Chepauk  
Chennai 5.

4.The Director of Horticulture  
Chepauk  
Chennai 5.

5.The Director of Agriculture  
Marketing & Agriculture Business  
Guindy  
Chennai 32.

6.The Director of Organic Certification  
Department & Seed Certification Department  
Coimbatore 3. ... Respondents in all WAs.

Appeal under Clause 15 of the Letters Patent directed against the common order dated 08.3.2012 made in W.P.Nos.7006 of 2011 etc. batch cases WP.7601/2011, 10213 of 2011, 10263/2011 and 23061 of 2011 respectively.

WP.NOS.7601 of 2011, 10213 of 2011, 10263 of 2011 and 23061 of 2011: Writ Petitions Filed under Article 226 of Constitution of India, Praying to issue a Writ of Certiorari Mandamus Calling for the records in pursuant to the Impugned Order passed by the 1st respondent in G.O.Ms.No.71 Finance (Pay Cell) Department dt.26.2.2011 and quash the same and consequently direct the respondents to pay the Enhanced Scale of Pay to all the petitioners as per G.O.Ms.No.448 Finance (Pay Cell) Department dt.31.12.2010 with all monetary benefits including arrears.

For Appellants : Mr.R.Prem Narayan

For Respondents : Mr.V.Jayaprakash Narayanan  
Spl. Govt. Pleader

J U D G M E N T  
(Delivered by Huluvadi G.Ramesh, J)

This appeal is directed against the common order dated 08.3.2012 made in W.P.Nos.7006 of 2011 etc. batch cases.



2. The appellants herein have filed writ petitions questioning the validity of G.O.Ms.No.71, Finance (Pay Cell) Department dated 26.02.2011. The learned single Judge taking note of the assurance made by the Government that a new Committee would be appointed for redressing the grievances with respect to pay anomaly, directed the Government to implement the said assurance. Challenging the same, the appellants have come up with the above appeal.

3. In some of the appeals filed by the similarly placed persons, a Division Bench of this Court, by order dated 27.02.2014 made in W.A.No.504 of 2012 etc. batch cases, directed the Government to constitute a Pay Grievance Redressal Committee headed by a retired Judge of this Court, with one or two senior level IAS Officers to be nominated by them, within a period of three weeks.

4. It is now submitted by both the counsel appearing for both sides that the State has filed a Special Leave Petition in SLP No.35690 of 2014 against the order of the Division Bench dated 27.02.2014 made in W.A.No.504 of 2012 etc. batch cases and the same is pending.

5. In view of the fact that the subject matter is now pending before the Supreme Court in SLP No.35690 of 2014, no order could be passed in these writ appeals, except to observe that the appellants have to await the order to be passed by the Supreme Court in SLP No.35690 of 2014 and that the said order will bind the appellants herein.

6. The writ appeals are disposed of with the above observation. However, there shall be no order as to costs. Consequently, M.P.Nos.1 of 2012 in all the writ appeals are closed.

Sd/-

सत्यमेव जयते  
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

kpl

To

1. The Secretary to Government  
Finance Department  
Fort St. George, Chennai 9.

2. The Secretary to Government  
Agriculture Department  
Fort St. George, Chennai 9.
3. The Commissioner of Agriculture  
Chepauk, Chennai 5.
4. The Director of Horticulture  
Chepauk, Chennai 5.
5. The Director of Agriculture  
Marketing & Agriculture Business  
Guindy, Chennai 32.
6. The Director of Organic Certification  
Department & Seed Certification Department  
Coimbatore 3.

+4cc to Mr.R.Prem Narayan, Advocate SR.No.47123  
+1cc to the Government Pleader SR.No.47276

W.A.Nos.736 to 739 of 2012.

GJII(CO)  
GN(26/07/2017)



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