



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.06.2017**

CORAM:

THE HONOURABLE MR.JUSTICE **T.S.SIVAGNANAM**

AND

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

W.A.[MD].No.731 of 2017

and

CMP(MD).No. 5495 of 2017

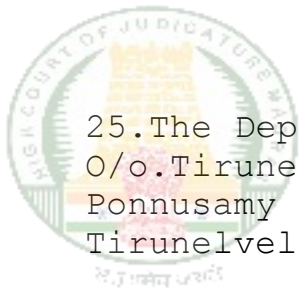
The Deputy Director of Health Services,
Race Course Road,
Trichy

: Appellant

Vs.

1.N.Murugaiya
2.S.Murugesan
3.M.Boopathi
4.M.Kumar,
5.M.Sankaran
6.R.Subash Pandian
7.V.Dharmaraja
8.P.Appar
9.K.Selvaraj
10.C.Gunasekaran
11.K.Thangasamy
12.R.Sekar
13.K.Ganesan
14.M.S.Gurusamy
15.S.Banumoorthy,
16.U.Sivakumar,
17.P.Sathasivam
18.R.Pethicmuthu
19.P.Ganesan
20.S.Munisasamy
21.Sangili Raja
22.S.Chandran
23.The Joint Director of Health Services,
Government Headquarters Hospital,
Ramanathapuram District

24.The Deputy Director of Health Services,
O/o.Old Police Station,
Salem



25.The Deputy Director of Family Welfare,
O/o.Tirunelveli Medical College Campus,
Ponnusamy Bungalow Compound,
Tirunelveli District.

26.The Government Primary Health Centre,
Munjipatti (Post),
Nanguneri (TK),
Tirunelveli District,

27.The Deputy Director of Health Services,
Collectorate Campus,
Ramanathapuram District.

28.The District Social Welfare Officer,
Collectorate Campus,
Ramanathapuram District,

29.The Designated Officer,
Tamil Nadu Food Safety and Drug Administrative Department,
Collectorate Campus,
Ramanathapuram District.

30.The Block Development Officer,
Village Panchayat,
Paramakudi.

31.The Block Medical Officer,
Government Primary Health Centre,
Bogalur paramakudi,
Ramnad District,

32.The Block Medical Officer,
Government Primary Health Centre,
Keelathuval, Muthukulathur (TK)
Ramnad District.

33.The Block Medical Officer,
Government Primary Health Centre,
R.S.Mangalam,
Ramnad District.

34.The Block Medical Officer,
Government Primary Health Centre,
Ramnad District.

35.The Block Medical Officer,
Government Primary Health Centre,
Paramakudi,
Ramnad District.



36.The Superintendent Engineer,
Agricultural Engineering Department,
No.2, Jail Corner, Subramaniyapuram,
Trichy -20.

37.The Executive Engineer,
Agricultural Engineering,
Virudhunagar,

38.The Block Medical Officer,
Government Primary Health Centre,
Zaminkollankondan, Rajapalayam Taluk,
Virudhunagar District.

39.The Block Medical Officer,
Government Primary Health Centre,
Devipattinam, Ramnad District.

40.The Deputy Director of Health Service,
Paramakudi (HOD), Paramakudi.

41.The District Treasury Officer,
Collectorate Campus, Ramanathapuram.

42.The Hosur Treasury,
Collectorate Campus, Tirunelveli

43.The Hosur Treasury,
Trichy.

44.The District Treasury Officer,
Collectorate Campus, Tirunelveli.

45.The Sub-Treasury Officer,
Paramakudi

46.The Sub -Treasury Officer,
Mutukulathur

47The Sub -Treasury Officer,
Thiruvadanai.

48.The Sub- Treasury Officer,
Madapam Campus

49.The Assistant Treasury Officer,
Rajapalayam, Virudhunagar District.

<https://hcservices.ecourts.gov.in/hcservices/>

50.The Sub Treasury Officer,
Rajapalayam, Virudhunagar District.



51.The Sub Treasury Officer,
Ramanathapuram.

52.The Personal Assistant to Collector,
Rural Development Officer,
Ramanathapuram.

Respondents/Respondents

(Respondents 2 - 52 are the formal
petitioner, hence, they are given up)

PRAYER: The Writ Appeal is filed under Clause 15 of Letters
Patents Act, against the order dated 19.07.2013 passed in W.P.
(MD).No.11543 of 2013.

Prayer in WP(MD) . 11543/ 2013 :

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court to issue a Writ of
Mandamus, directing the respondents to implement the Ordinary
Grade, Selection Grade and Special Grade Scales of Pay as
indicated in Schedule II of the Tamil Nadu Revised Scales of Pay
Rules, 1998 at Rs. 4000-6000 , Rs. 5000-8000 and Rs. 5500-9000
respectively to the petitioners Drivers from the respective dates
of completion of 10 years of service in the ordinary Grade and 10
years in the Selection Grade, with all consequential monetary
benefits and also to revise their pensionary benefits on that
basis, pay all arrears within a stipulated time period and pass
such further or other orders.

For Appellants :Mr.V.R.Shanmuganathan
Special Government Pleader

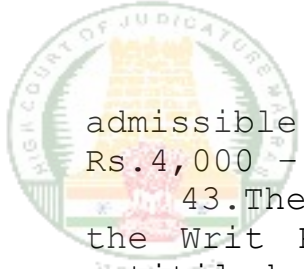
For Respondent :Mr.M.Ravi, for 7,20 and 21

JUDGMENT

[Judgment of the Court was made by T.S.SIVAGNANAM, J.]

The legal issue arising for consideration in these appeals are
squarely covered by the decision of the Hon'ble Division Bench of
this Court, in the case of **The Director of Sericulture Department,
Salem Vs. K.Kumar, reported in 2015 (4) CTC 241**, where in this
Court has held in paragraphs 42 and 43 as follows

42.Therefore, in the result, all the Writ Petitions filed by the
individual employees claiming Selection Grade Scale of Pay of
Rs.5,000 - 8,000 and Special Grade Pay Scale of Rs5,500 - 9,000
are liable to be dismissed. However, there are a few Writ
Petitions such as W.P.No.23550 of 2010, 5498 of 2012 and 30616 of
2012, where the employees claim that they are not even granted the



admissible Selection Grade and Special Grade scales pay of Rs.4,000 - 6,000 and Rs.4,300 - 6,000 respectively.

43. Therefore, with a clarification that all the Petitioners in the Writ Petitions and the Respondents in the Writ Appeals are entitled only to a Selection Grade Scale of Pay of Rs.4,300 - 100-6 000, but no more than that, all the Writ Petitions filed by the Employees are dismissed. All the Writ Appeals filed either by the State Government or by various Heads of Department or by Various Officers of the Government or by Various Local Bodies or Boards or Corporations, Shall stand allowed. There will be no order as to costs.

2. Following the same, present writ appeals are allowed. Consequently, all the writ petitions are dismissed and The writ petitioners in the writ petition and the respondents in the writ appeals are entitled to a higher category of seniority, in terms of the decision of the Hon'ble Division Bench. No Costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-I)

/ True Copy /

Sub Assistant Registrar (C.S.)

dsk/rmk

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and

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