



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 10.07.2019
CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

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W.P. (MD) .No.7437 of 2015
and
M.P. (MD) .No.1 of 2015

Tamil Nadu State Civil Service Officers,
(Retired) Association (TASCSORA),
Regn.No.139/2011,
Represented by its Founder and State President,
Thiru.V.Govindharasan,
No.46, Adappanvayal, 3rd Street,
Pudukottai Town,
Pudukottai-622 002. ... Petitioner

-Vs-

1.The Government of Tamil Nadu,
Represented by its Chief Secretary to
the Government, Secretariat,
Chennai-600 009.

2.The Principal Secretary to the Government,
Finance Department,
Government of Tamil Nadu,
Secretariat, Chennai-600 009.

3.The Principal Secretary to the Government,
Revenue Department,
Secretariat, Chennai-600 009. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 23.12.2014 and fix the pay scale of Deputy Collectors at Basic Pay at Rs.26,500/- + GP Rs.7,600/- by creating a new pay band 4A as per G.O.Ms.No.234 Finance (Pay Cell) Department dated 01.06.2009 considering their responsibilities and primary role in redressing the grievance of public, higher accountabilities and the distant place in the administration of the Revenue Department on merits and in accordance with law and pass orders within a specific time frame that may be fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.M.Jeyakumar
Additional Government Pleader

**ORDER**

The relief sought for in the present writ petition is for a direction to direct the respondents to consider the petitioner's representation dated 23.12.2014 and fix the pay scale of Deputy Collectors at Basic Pay at Rs.26,500/- + GP Rs.7,600/- by creating a new pay band 4A as per G.O.Ms.No.234 Finance (Pay Cell) Department dated 01.06.2009, considering their responsibilities and primary role in redressing the grievance of public, higher accountabilities and the distant place in the administration of the Revenue Department on merits and in accordance with law and pass orders.

2.The learned counsel appearing for the writ petitioner states that the grievances of the writ petitioner with reference to the fixation of scale of pay of District Revenue Officers from pay band 3 to pay band 4, has not been considered by the respondents. This Court cannot adjudicate the pay anomaly or fixation of pay with reference to the officials working in the cadre of District Revenue Officer or as a matter of fact any other cadre. Such fixation of pay, revision of pay, pay anomaly are the individual grievances of the employees and therefore, any writ petition for rectification of such anomaly or refixation of pay or correction of pay are to be done by filing individual writ petition by the aggrieved person.

3.The Association of the retired Officers cannot maintain the writ petition, in respect of the fixation of pay, rectification of pay anomaly or revision of pay. All the members of the writ petitioner's Association are the retired employees of the State Government. The retirement benefits are settled based on the last drawn pay of the respective employees in various cadre. Therefore, any refixation or revision of scale of pay must be done on individual basis with reference to the service records of the officials concerned and accordingly, those aggrieved persons alone is entitled to approach the competent authority for redressal of their grievances and thereafter, the Court of Law. This being the principles to be followed, the members of the writ petitioner's Association are at liberty to approach the competent authority by way of representation for the redressal of their grievances and thereafter, if their grievances are not redressed, then they are at liberty to approach the Court of law for fixation of pay or refixation of pay in accordance with the rules in force.



4. With these observations, this writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (Cr1.side)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Chief Secretary to the Government,
The Government of Tamil Nadu, Secretariat,
Chennai-600 009.
2. The Principal Secretary to the Government,
Finance Department, Government of Tamil Nadu,
Secretariat, Chennai-600 009.
3. The Principal Secretary to the Government,
Revenue Department, Secretariat, Chennai-600 009.

+1cc to Mr. S. VISVALINGAM, Advocate, SR.No.74495

+1cc to the Spl. Govt. Pleader Sr.No.74736

Ns
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and
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10.07.2019

NA (26.07.2019) 3P : 6C