



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) Nos.22898, 22901, 22902, 22904, 22906, 22907, 22908, 22909, 22910, 22912, 22913, 22914, 22915 and 22916 of 2019

W.P. (MD)No.22898 of 2019

R.Durairaj	... Petitioner in WP(MD)No. 22898 of 2019
V.Nedunchezian	... Petitioner in WP(MD)No . 22901 of 2019
J.Swaminathan	... Petitioner in WP(MD)No . 22902 of 2019
J.Manohar Punitharaj	... Petitioner in WP(MD)No . 22904 of 2019
C.Karunanithi	... Petitioner in WP(MD)No . 22906 of 2019
V.Chitra,	... Petitioner in WP(MD)No . 22907 of 2019
P.Jayanthi	... Petitioner in WP(MD)No . 22908 of 2019
S.Ayyappan	... Petitioner in WP(MD)No . 22909 of 2019
N.S.Mathialagan	... Petitioner in WP(MD)No . 22910 of 2019
V.Perumal	... Petitioner in WP(MD)No . 22912 of 2019
K.Rajendran	... Petitioner in WP(MD)No . 22913 of 2019
V.Meenakshi	... Petitioner in WP(MD)No . 22914 of 2019
A.Rameesa Begam	... Petitioner in WP(MD)No . 22915 of 2019
K.Jothi	... Petitioner in WP(MD)No . 22916 of 2019

-Vs-

- 1.The State of Tamil Nadu
Represented by its Secretary to Government
Finance Department,
Fort St. George, Chennai-600 009.
 - 2.The State of Tamil Nadu
Represented by Principal Secretary to the Government,
School Education Department,
Fort St. George, Chennai-600 009.
 - 3.The Director of School Education,
DPI Compound,
College Road, Chennai-600 006.
 - 4.The Joint Director (Vocational),
Directorate of School Education,
DPI Compound, College Road,
Chennai-600 006.
- ... Respondents in all WPs



Prayer in WP(MD)No . 22898/ 2019:

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents R3- to fix the scale of pay of the petitioner at Rs.2000-3500 w.e.f.23.09.1994 on par with the scale of pay sanctioned to Mr.Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the State of Tamil Nadu.

Prayer in WP(MD)No . 22901/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to Re-Fix the scale of pay of the petitioner at Rs.2000-3500 w.e.f 05.10.1996 on par with the scale of pay sanctioned to Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the state of Tamilnadu.

Prayer in WP(MD)No . 22902/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to Re-Fix the scale of pay of the petitioner at Rs.2000-3500 w.e.f 05.10.1996 on par with the scale of pay sanctioned to Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the state of Tamilnadu.

Prayer in WP(MD)No . 22904/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to Re-Fix the scale of pay of the petitioner at Rs.2000-3500 w.e.f 16.10.1992 on par with the scale of pay sanctioned to Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the state of Tamilnadu.

Prayer in WP(MD)No . 22906/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to Re-Fix the scale of pay of the petitioner at Rs.2000-3500 w.e.f 1.4.1990 on par with the scale of pay sanctioned to Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the state of Tamilnadu.



Prayer in WP(MD)No . 22907/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to Re-Fix the scale of pay of the petitioner at Rs.2000-3500 w.e.f 16/10/1992 on par with the scale of pay sanctioned to Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the state of Tamilnadu.

Prayer in WP(MD)No . 22908/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to Re-Fix the scale of pay of the petitioner at Rs.2000-3500 w.e.f 1.4.1990 on par with the scale of pay sanctioned to Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the state of Tamilnadu.

Prayer in WP(MD)No . 22909/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to Re-Fix the scale of pay of the petitioner at Rs.2000-3500 w.e.f 05/10/1996 on par with the scale of pay sanctioned to Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the state of Tamilnadu.

Prayer in WP(MD)No . 22910/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to Re-Fix the scale of pay of the petitioner at Rs.2000-3500 w.e.f . 14.02.1995 on par with the scale of pay sanctioned to Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the state of Tamilnadu.

Prayer in WP(MD)No . 22912/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to Re-Fix the scale of pay of the petitioner at Rs.2000-3500 w.e.f 05/10/1996 on par with the scale of pay sanctioned to Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the state of Tamilnadu.



Prayer in WP(MD)No . 22913/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to Re-Fix the scale of pay of the petitioner at Rs.2000-3500 w.e.f . 16.10.1992 on par with the scale of pay sanctioned to Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the state of Tamilnadu.

Prayer in WP(MD)No . 22914/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to Re-Fix the scale of pay of the petitioner at Rs.2000-3500 w.e.f 05/10/1996 on par with the scale of pay sanctioned to Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the state of Tamilnadu.

Prayer in WP(MD)No . 22915/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to Re-Fix the scale of pay of the petitioner at Rs.2000-3500 w.e.f . 16.10.1992 on par with the scale of pay sanctioned to Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the state of Tamilnadu.

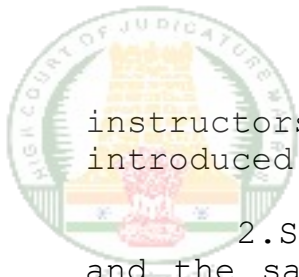
Prayer in WP(MD)No . 22916/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Directing the respondents to Re-Fix the scale of pay of the petitioner at Rs.2000-3500 w.e.f . 16.10.1992 on par with the scale of pay sanctioned to Narayanasami under G.O.Ms.No.327 dated 18.11.2013 to the vocational instructors who were in service at the time plus 2 system was introduced in the schools in the state of Tamilnadu.

For Petitioner : Mr.R.Saravanan
in all WPs
For Respondents : Mr.M.Karuppasamy,
in all WPs Government Advocate

COMMON ORDER

These Writ Petitions are filed for a direction to the respondents to re-fix the scale of pay of the petitioners at Rs.2000-3500/- on par with the scale of pay sanctioned to Mr.Narayanasami under G.O.Ms.No.327, dated 18.11.2013, to the vocational



instructors, who were in service at the time +2 system was introduced in the School in the State of Tamil Nadu.

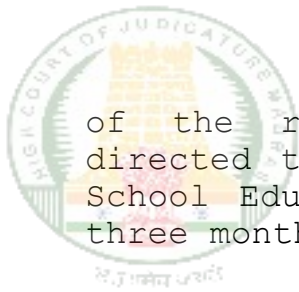
2. Since the issues involved in these Writ Petitions are one and the same, these Writ Petitions are heard together and disposed of by way of this common order.

3. Mr.M.Karuppasamy, learned Government Advocate, takes notice on behalf of the respondents. By consent of both parties, these Writ Petitions are taken up for final disposal at the stage of admission itself.

4. According to the petitioners, they worked as Vocational Teachers in Government Higher Secondary School and retired from service on various dates. All of them have completed degree courses. Their pay has been fixed in the scale of pay at Rs.1400-2600/- under 5th Pay Commission. The similarly placed persons had been granted higher pay scale of Rs.2000-3500/- and therefore, the petitioners are entitled for revision of pay on parity with similarly placed persons. One G.Narayanasamy has filed O.A.No.1755 of 1998 before the Tamil Nadu Administrative Tribunal and the same was transferred to the Principal Seat of this Court and renumbered as W.P.No.32121 of 2006. The Principal Seat of this Court, by the order dated 05.01.2010, allowed the said Writ Petition and granted pay scale of Rs.2000-3500/-. Against which, the Department has filed W.A.No.1814 of 2011 before the Division Bench of the Principal Seat of this Court and the same was dismissed, against which, S.L.P., was filed before the Hon'ble Apex Court and the said S.L.P., has also been dismissed. Thereafter, the second respondent has issued G.O. (1D)No.327, Education Department, dated 18.11.2013, granting benefits of higher pay fixation to the said G.Narayanasamy. The petitioners are also the similarly placed persons, like the said G.Narayanasamy and therefore, they are entitled to the very same benefits and relied on the judgment of this Court, dated 14.08.2014, made in W.A.(MD)No.1344 of 2013, in support of their claim.

5. The learned Government Advocate appearing for the respondents submitted that the petitioners' representations will be considered, in the light of the earlier orders passed by this Court, within a time frame.

6. Considering the above said submissions made by the learned counsel appearing for the petitioners and the learned Government Advocate appearing for the respondents and considering the fact that the petitioners are the degree holders, they are all entitled for higher scale of pay, in the light of the judgment of the Division Bench of this Court, dated 14.08.2014, made in W.A.No.1344 of 2013. The petitioners are directed to send representation along with degree certificates to the respondents, within a period of one week from the date of receipt of a copy of this order. On such receipt



of the representations and certificates, the respondents are directed to consider and pass orders, in terms of G.O.(1D)No.327, School Education Department, dated 18.11.2013, within a period of three months thereafter.

7. With the above direction, these Writ Petitions stand disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

Am

To

1. The Secretary to Government
Finance Department,
Fort St. George, Chennai-600 009.
2. The Principal Secretary to the Government,
School Education Department,
Fort St. George, Chennai-600 009.
3. The Director of School Education,
DPI Compound,
College Road, Chennai-600 006.
4. The Joint Director (Vocational),
Directorate of School Education,
DPI Compound, College Road,
Chennai-600 006.

+14 CC to Mr.R.SARAVANAN, Advocate (SR-94954[F] dated 30/10/2019)

W.P. (MD) Nos.22898, 22901,
22902, 22904, 22906, 22907,
22908, 22909, 22910, 22912,
22913, 22914, 22915 and
22916 of 2019
30.10.2019

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