



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) Nos. 25456 and 25459 of 2019

1.A.Asokan ... Petitioner in W.P(MD).No.25456 of 2019  
2.K.Murugeswari ... Petitioner in W.P(MD).No.25459 of 2019

-Vs-

- 1.The State of Tamil Nadu  
Represented by its Secretary to Government  
Finance Department,  
Fort St. George, Chennai-9.
- 2.The State of Tamil Nadu  
Represented by its Secretary to the Government,  
School Education Department,  
Fort St. George, Chennai-9.
- 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

**COMMON PRAYER:** These Writ Petitions have been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to refix the scale of pay of the petitioner at Rs.2000-3500 with effect from 16.10.1992 and 10.06.2002 respectively 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.

(In both petitions)

For Petitioners : Mr.R.Saravanan

For Respondents : Mr.A.Thiyagarajan  
Government Advocate.



**COMMON ORDER**

These Writ Petitions are filed for a direction to the respondents to refix 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.

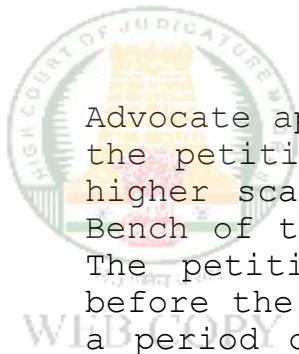
2.Since the issues involved in these Writ Petitions are one and the same, these Writ Petitions are heard together and disposed of by way of this common order.

3. Mr.A.Thiyagarajan, 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. The petitioners have completed degree courses. Their pay has been fixed in the scale of pay at Rs.1400-2600/- under 5<sup>th</sup> 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 par 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 produce the degree certificates before the respondents, along with necessary representations, within a period of one week from the date of receipt of a copy of this order. On such receipt of the certificates and representations, 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 (Writs)

// True Copy //

Sub Assistant Registrar(CS)

msa

To

- 1.The Secretary to the Government,  
Finance Department,  
Fort St. George, Chennai-9.
- 2.The Principal Secretary to the Government,  
School Education Department,  
Fort St. George, Chennai-9.
- 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.

+2 CC to M/s.R. SARAVANAN, Advocate ( SR-102647[F] dated 29/11/2019 )

+1cc to Spl.Govt.Pleader, SR.No.103012

**W.P. (MD) Nos. 25456 and 25459 of 2019**  
**29.11.2019**

JMN (31.12.2019) 3P : 8C

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