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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE
AND

The Hon'ble Mr.JUSTICE SUBRAMONIUM PRASAD

W.P.No.8009 of 2016
and W.M.P.No.7119 of 2016

The Tamilnadu Civil Court Process Servers'
Union Sub Court (State Centre) Ponneri,
Rep. by its President, T.Dhanapal.

.. Petitioner

-vs-

1.The Registrar General,
High Court, Madras 600 104.

2.The Principal District Judge,
Erode.

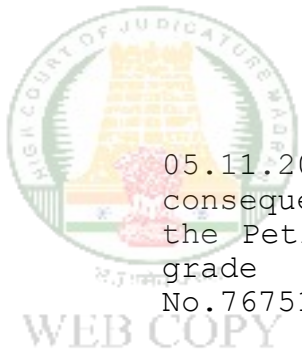
3.The Principal Secretary,
Govt. of Tamil Nadu,
Home (Courts V) Department,
Fort St. George, Madras 600 009.

4.The Principal Secretary,
Govt. Finance (Pay Cell) Department,
Fort St. George, Chennai 600 009.

5.The Joint Secretary,
Home (Courts-V) Department,
Secretariate, Chennai 600 009.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records pertaining to G.O.Ms.No.162, Finance (PC) Department, dated 13.04.1998 passed by the 4th respondent and letter No.11651/Cts.V/2013-3, dated 05.11.2013 passed by the 3rd respondent and order in C.N.No.10 of 2016 dated .. 01.2016 passed by the 2nd respondent and quash para 4(ii) of G.O.Ms.No.162, Finance (PC) Department, dated 13.04.1998 as well as the clarification of Lr.No.11651/Cts.V/2013-3 dated



05.11.2013 and order in C.N.No.10/ 2016 dated .01.2016 and consequentially direct the respondents to pay to the members of the Petitioner's Association the same selection grade and special grade scale of pay as per clarification letter No.76751/Cts.V/2011-13 dated 31.12.2012.

For Petitioner : Mr.L.Chandrakumar
for Mr.R.Marudhachalamurthy

For Respondent : Mr.V.Vijay Shankar
for RR 1 and 2
: Mr.R.Vijayakumar, Addl.G.P.
for RR 3 to 5

JUDGMENT

(Delivered by The Hon'ble Chief Justice)

Heard learned counsel for the parties.

2.The dispute relates to excess payments having been made to junior bailiffs arising out of fixation of Selection Grade and Special Grade.

3.It is informed at the bar by the learned counsel that in a similar matter, the challenge which was raised before the High Court had succeeded, but the same was reversed by the Apex Court in the case of P.Singaravelan and Others and The District Collector, Tiruppur and Others (Civil Appeal Nos.9533-9537 of 2019), on 18.12.2019.

3.In view of the aforesaid final pronouncement of the Apex Court, the matter stands concluded and the writ petition is, accordingly, closed. There shall be no order as to costs. Consequently, W.M.P. No.7119 of 2019 is also closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

sra



To

1.The Registrar General,
High Court, Madras 600 104.

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2.The Principal District Judge, Erode.

3.The Principal Secretary,
Govt. of Tamil Nadu,
Home (Courts V) Department,
Fort St. George, Madras 600 009.

4.The Principal Secretary,
Govt. Finance (Pay Cell) Department,
Fort St. George, Chennai 600 009.

5.The Joint Secretary,
Home (Courts-V) Department,
Secretariate, Chennai 600 009.

+1cc to Mr.R.Marudhachalamurthy, Advocate, S.R.No. 1990

+1cc to Mr.V.Vijay Shankar, Advocate, S.R.No. 1837

+1cc to the Government Pleader, S.R.No. 1295

W.P.No.8009 of 2016

NR(CO)
GN(31/01/2020)