



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2020

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THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

W.P. (MD) No.2422 of 2015

T.Jagadeesan

... Petitioner

Vs.

1.Chief Executive Officer,
Tamil Nadu Khadi & Village Industries Board,
Kuralagam,
Chennai.

2.Assistant Director,
Tamil Nadu Khadi & Village Industries,
Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order dated 13.03.2014 in Na.Ka. No.17442/E2(3)/2012 and quash the same and consequently direct the respondents to grant selection grade to the petitioner in the post of accounts clerk and Khadi Assistant Grade-I and revise his retirement benefits.

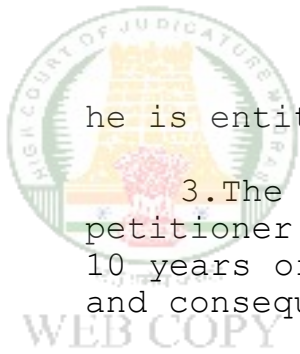
For Petitioner : Mr.S.Anwar Sameem

For Respondents : Mr.G.Karnan

ORDER

The order of rejection rejecting the claim of the writ petitioner to grant selection grade in the post of Accounts Clerk and Khadi Assistant Grade-I is under challenge in the present writ petition.

2.The petitioner joined in Khadi & Village Industries Board in the year 1971 as Attender. However, his service was regularized with effect from 1973. Thereafter, he was promoted as Accounts Clerk on 02.12.1981 and he was temporarily appointed as District Cottage Inspector on 05.09.1991. The petitioner reached the age of superannuation on 30.09.2008. The petitioner states that he had completed 20 years as Accounts Clerk in the year 1991. Therefore,



he is entitled for selection grade in the said post.

3.The learned counsel appearing on behalf of the writ petitioner made a submission that the writ petitioner has completed 10 years of service and therefore, selection grade has to be granted and consequential pay has also to be given.

4.The benefit of selection grade and special grade were granted to the employees pursuant to the recommendations of the pay commission. Selection grade and special grade are to be granted in accordance with the terms and conditions stipulated in the Government orders and rules in force. Normally, the promotion procedure are followed and the promotional pay is also fixed for the selection grade and next promotional pay is fixed for the special grade. With reference to the case on hand, the petitioner had been granted promotion to certain cadres. The petitioner was appointed as Attender during the year 1971 and he was promoted upto the level of District Cottage Inspector. Thus, the petitioner is not entitled for selection grade or special grade as per the rules in force.

5.In view of the factum established, the writ petitioner is not entitled for any relief as such sought for in the present writ petition and accordingly, the writ petition stands dismissed.

Sd/-

Assistant Registrar (W)

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/ /2020

Sub Assistant Registrar(CS)

gns

To

1.Chief Executive Officer,
Tamil Nadu Khadi & Village Industries Board,
Kuralagam,
Chennai.

2.Assistant Director,
Tamil Nadu Khadi & Village Industries,
Tirunelveli District.

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