



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2021

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. NOS. 24263, 29532 AND 29533 OF 2010
AND

M.P. NOS. 1, 1, 2, 2 AND 2 OF 2010

W.P. No. 24263 of 2010:-

1. S.Joseph Aroaikia Raj
2. D.Rebester
3. T.Ezhilan
4. M.Christo Raj
5. A. Bala Murugan
6. K.Madurai
7. R.Ravi
8. M.Krishnan
9. S.Mani
10. K.Nagarajan
11. E.Kuppusamy
12. K.R.Govindaraj Francis
13. M.Noor Basha
14. M.Kasthuri
15. M.Manoharan
16. K.Ramalingam
17. M.Sambantham
18. R.Lakshmi Narayanan



19. P.Jayalakshmi

20. S.V.Vennila

21. P.Velmuruga

22. Y.Kaspar

23. G.Rajakumar

24. N.Anthony Kennedy

25. G.Balaji

26. P.Ganesan

27. A.Kandaswamy

28. I.Mohamed Mujeeb

29. S.Manoharan

30. R.Ravichandran

31. V.K.Rajasingham

32. N.Sumathi

33. V.Pandian

34. M.Krishnaleela

35. S.Neelambika

36. S.Jayalakshmi

37. K.Selvaraj

38. P.Vallinayagam

39. Abdur Rahman

40. S.Vasanthi

41. G.Usha Rani

42. K.Vasudevan

43. R.M.Mohammed Rasheeth



44. V.Tamilmani

45. Yesupaul

46. U.Ramachandran

47. S.Makalai

48. M.Rajammal

49. G.Krishnaveni

50. M.Jayanthi

51. B.Dilli

52. M.Murugesan

53. M.Raj

54. B.Dasarathan

55. A.R.Maithaly

... Petitioners

-vs-

1. The State of Tamil Nadu,
rep. by Secretary to Government,
Finance (Pay Cell) Department,
Fort St. George,
Chennai - 600 009.

2. The Principal Secretary to Government,
Higher Education,
Fort St. George,
Chennai - 600 009.

3. The Directorate of Collegiate Education,
College Road, DPI Complex,
Nungambakkam,
Chennai - 600 006.

... Respondents

For Petitioners : Mr.L.Chandrakumar

For Respondents : Mr.C.Harsha Raj,
Additional Government Pleader



W.P. No. 29532 of 2010:-

1. S.Jayaram
2. C.Gopalakrishnan
3. P.Ponraj
4. G.Ramanathan
5. S.Sivakumar
6. C.Kaliappan
7. A.Pope Immanuel Devadoss
8. K.Karuna
9. A.Sukumar
10. P.Nachiappan
11. S.Sankaran
12. K.Gomathinayagam
13. P.Mariappan
14. L.Sivagami Sundari
15. M.Indira
16. S.Natarajan
17. A.Duraiaraj
18. A.Maruthu Pandian
19. S.Shanmugam
20. G.Rajendran
21. K.Seran
22. S.Vijayan
23. C.Arumugam
24. M.Selvan



25. M.Vasanthi

26. M.Selvi

27. K.Pappathi

28. R.K.Yoganathan

29. M.Anitha

30. V.Shanmauga Sundaram

31. S.Gunasekaran

32. Murugan

33. R.Sivakumar

34. N.Sathivel

35. N. Balasubramanian

36. V.Pugazhendi

37. V.Balau

38. V.Selvaraj

... Petitioners

-vs-

1. The State of Tamil Nadu,
rep. by Secretary to Government,
Finance (Pay Cell) Department,
Fort St. George,
Chennai - 600 009.
2. The Principal Secretary to Government,
Higher Education,
Fort St. George,
Chennai - 600 009.
3. The Directorate of Collegiate Education,
College Road, DPI Complex,
Nungambakkam,
Chennai - 600 006.

... Respondents



For Petitioners

: Mr.R.Shiva Kumar

For Respondents

: Mr.C.Harsha Raj,
Additional Government Pleader

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W.P. No. 29533 of 2010:-

1. P.Kalyani
2. U.Nallaiah
3. B.Ramani Bai
4. S.Selvam
5. K.Selvaraj
6. S.Govindasamy
7. T.Venkatachalam
8. N.Anandan
9. G.Srinivasan
10. K.Ganapathy
11. R.Vasan
12. M.Supramanian
13. V.Elumalai
14. D.Christopher Peter
15. J.Xavier
16. T.Joseph
17. N.Rajendran
18. P.Selvaraj
19. K.T.Subramanian
20. K.A.Muthu Samy
21. R.Perumalsami



22. K.Ayyasamy

23. V.Palanisamy

24. S.Rajan

25. M.Murugasamy

26. G.Mogana Venkita Ramanan

27. M.Karuppaiah

28. C.Meenakshisundaram

29. C.Murugan

30. V.Swaminadha Pillai

31. C.Mahesh

32. V.Mani

33. C.Sundara Raj

34. P.Dorairaj

35. S.Thamizuddin

36. G.Jeyasankar

37. V.Nellai Nayagam

38. K.Vellingiri

39. S.Rajan

40. A.Murugan

41. S.Anantha Krishnamoorthy

42. B.Annadurai

43. S.Muthu

44. V.Joseph Vareed

... Petitioners

-vs-



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1. The State of Tamil Nadu,
rep. by Secretary to Government,
Finance (Pay Cell) Department,
Fort St. George,
Chennai - 600 009.
2. The Principal Secretary to Government,
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Fort St. George,
Chennai - 600 009.
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College Road, DPI Complex,
Nungambakkam,
Chennai - 600 006.

... Respondents

For Petitioners : Mr.R.Shiva Kumar

For Respondents : Mr.C.Harsha Raj,
Additional Government Pleader

Common Prayer:- Writ Petitions filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the First Respondent's order made in G.O. Ms. 390, Finance (Pay Cell) Department dated 05.10.2010, to quash the same and consequently direct the Respondents to forthwith restore the revision of scales of pay + grade pay to the laboratory assistant category, as made in G.O. (Ms) No. 271, Finance (Pay Cell) Department dated 26.08.2010.

C O M M O N O R D E R
(through video conference)

Heard Mr. L.Chandrakumar, Learned Counsel for the Petitioners in W.P. No. 24263 of 2010, Mr. R.Shiva Kumar, Learned Counsel for the Petitioners in W.P. Nos. 29532 and 20533 of 2010 and Mr. C.Harsha Raj, Learned Additional Government Pleader appearing for the Respondents in all Writ Petitions and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioners in these Writ Petitions, who are working as Laboratory Assistants in Government Colleges across the State, have challenged G.O. Ms. No. 390, Finance (Pay Cell) Department 05.10.2010 issued by the Government of Tamil Nadu by which their scale of pay has been reduced and recovery has been imposed upon them.



3. It has been brought to notice in the common Counter-Affidavit filed by the Respondents that after the filing of these Writ Petitions, the scale of pay of the post of Laboratory Assistants in the Government Colleges across the State has been revised from Rs. 5,200 - 20,200/- with grade pay of Rs. 1,900/-, Rs. 5,200 - 20,200/- with grade pay of Rs. 2,000/- to Rs. 5,200 - 20,200/- with grade pay of Rs. 2,400/- notionally with effect from 01.01.2006 with monetary benefits from 01.03.2011 vide G.O. Ms. No. 63, Finance (Pay Cell) Department dated 26.02.2011, meaning thereby that the grievance of the Petitioners has been redressed.

4. In such circumstances, no further orders are required in this Writ Petitions except to clarify that if there is any shortfall in the amount due to the Petitioners pursuant to the revision of their scale of pay, they are not precluded from working out their remedies in that regard before proper forum in the manner recognized by law.

In the result, these Writ Petitions are disposed with the aforesaid clarifications. Consequently, Consequently, the connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

vjt/skr

To

1. The Secretary to the Government of Tamil Nadu,
Finance (Pay Cell) Department,
Fort St. George, Chennai - 600 009.
2. The Principal Secretary to Government,
Higher Education,
Fort St. George, Chennai - 600 009.
3. The Directorate of Collegiate Education,
College Road, DPI Complex,
Nungambakkam, Chennai - 600 006.

+1cc to M/s.L.Chandrakumar, Advocate, S.R.No.61413
+1cc to the Government Pleader, S.R.Nos.61945, 61949 & 61950

W.P. Nos. 24263, 29532 and 29533 of 2010

KSM(CO)
RLP(03/12/2021)