



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.12.2021

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THE HON'BLE DR.JUSTICE ANITA SUMANTH

W.P. (MD)No. 3351 of 2018

and

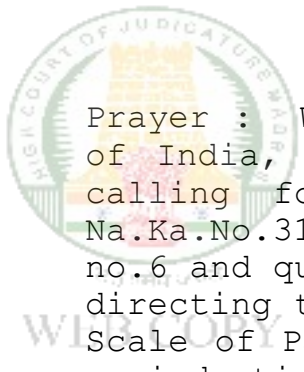
WMP (MD) Nos.3507 and 3508 of 2018

N. Srinivasan

...Petitioner

Vs

1. The State of Tamilnadu,
Represented by its Principal Secretary,
Finance (CMPC) Department,
Fort St. George,
Chennai - 600 009.
 2. The Director of School Education,
College Road,
Chennai - 06.
 3. The Joint Director (Vocational) of School Education,
College Road,
Chennai - 06.
 4. The Chief Educational Officer,
O/o. Chief Education Office,
Trichy,
Trichy District.
 5. The Principal Accountant General (G&SSA),
" LEKHA PARIKSHA BHAVAN"
No. 361, Anna Salai,
Teynampet,
Chennai - 600 018.
 6. The Regional Accounts Officer (Audit),
O/o. The Regional Accounts Officer (Audit),
School Education Department,
Madurai - 625 002.
 7. The Headmaster,
Government Higher Secondary School,
Somarasanpettai -620 102,
Trichy District.
- .. Respondents



Prayer : Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of certiorarified mandamus, calling for the records pertaining to the impugned order in Na.Ka.No.3165/A9/2017 dated 11.07.2017 on the file of the respondent no.6 and quash the same as illegal and consequently for a direction, directing the respondents to continue to provide the Selection Grade Scale of Pay of 15600-39100+5400 to the petitioner within the time period stipulated by this court and pass orders.

For Petitioner	: Mr. Karthick for Mr. T.Lajapathi Roy
For Respondents	: Mr. K.S. Selvaganesan, Additional Government Pleader for R1 to R4 and R7 Mr. P. Gunasekaran for R6

ORDER

Heard Mr.Karthik for Mr.T.Lajapathi Roy for the petitioner, Mr.K.S.Selvaganesan, learned Additional Government Pleader for R1 to R4 and R7 and Mr.P.Gunasekaran, learned counsel for R6, that is, the Regional Accounts Officer

2. All learned counsel before me concur upon the position that the prayer in this writ petition is liable to be allowed in light of the order passed by this Court in a batch of matters in W.P(MD). No.2654 of 2018 (order dated 19.03.2018) accepting the case of the petitioners that they should be provided Selection Grade pay as prayed for.

3. Consequent thereupon, G.O.Ms.No.306, Finance (CMPC) Department, dated 12.09.2018 has come to be passed, wherein my attention is drawn to paragraph Nos. 6, 7 and 8 that would impact the case of the petitioner herein, and is extracted hereunder:

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6.In the judgment order eighth read above, orders were passed by the Hon'ble Madurai Bench of Madras High Court dated:19.03.2018 to allow the Selection Grade scale of pay of Vocational Instructors at Rs.15600-39100 + G.P. Rs.5400 notionally with effect from 01.01.2006 with monetary benefit from 01.04.2013.

7. As there are no promotional avenues for the post of Vocational Instructors, it would not be appropriate to restrict their Selection Grade / Special Grade scales of pay as that of BT Assistant who are having promotional prospects of elevating to the post of Head Master High School / Head Master Higher Secondary School / District Educational Officer. In the light of the



above facts, the Government has decided to implement the orders of the Madurai Bench of Madras High Court dated : 19.03.2018 in W.P(MD). Nos.2654, 2924 & 2663 of 2018 and 15980 & 17197 of 2014. Accordingly, the Government direct that the Selection Grade Scale of Pay of Vocational Instructors who were awarded Selection Grade prior to 01.01.2006 and in the case of employees who have exercised their option to come over to the revised scales of pay on the date of their award of Selection Grade between 01.01.2006 and 31.05.2009 shall be refixed in the scale of pay at Rs.15600-39100 + G.P. 5400 notionally with effect from 01.01.2006 or the date of award of Selection Grade in the post of Vocational Instructor with monetary benefits from 01.04.2013.

8.The above orders shall be applicable to all the Vocational Instructors who were awarded Selection Grade prior to 01.01.2006 and those awarded Selection Grade between 01.01.2006 and 31.05.2009 and opted for the revised scales of pay on that date irrespective of the fact as to whether they filed separate Writ Petitions or not.

4. The Writ Petitioner has admittedly completed more than ten years of service and his eligibility for selection grade pay, as per para 8 of G.O.Ms.No.306, Finance (CMPC) Department, dated 12.09.2018 is thus not in question.

5.In light of the aforesaid discussion, the prayer of the petitioner is accepted and this writ petition, allowed. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned



To

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+1 CC to M/s.SPL GP (SR-38598[F] dated 14/12/2021)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-38512[F] dated
14/12/2021)

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RK(31.01.2022) 4P 9C