



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:24.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)Nos.6665 to 6670 of 2016

and

W.M.P. (MD) .Nos.5773 to 5778 of 2016

N.Manimozhi	... Petitioner in W.P. (MD) .No.6665 of 2016
R.Ramamoorthy	... Petitioner in W.P. (MD) .No.6666 of 2016
A.Steephen Francis	... Petitioner in W.P. (MD) .No.6667 of 2016
V.Vijayalakshmi	... Petitioner in W.P. (MD) .No.6668 of 2016
S.Arunjselvi	... Petitioner in W.P. (MD) .No.6669 of 2016
S.Sabeetha Eswari	... Petitioner in W.P. (MD) .No.6670 of 2016

Vs.

1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of Finance,
Fort St. George,
Chennai-09.

2.The Principal Secretary,
State of Tamil Nadu,
Department of Backward Classes,
Most Backward Classes and Minorities Welfare,
Fort St. George, Chennai-09.

3.The Director,
Department of Backward Classes,
Most Backward Classes and Minorities Welfare,
College Road, Chennai-6.

4.The District Backward Classes,
Most Backward Classes and Minorities Welfare Officer,
Ramanathapuram, Ramnad District.

... Respondents in all W.Ps.

Prayer: Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to forbear from reducing the petitioners' salary from the present revised Selection Grade Pay Scale of Rs.15600 - 39100 + GP5400 which they have been drawing with notional effect from 01.01.2006 and with monetary benefit from 01.01.2011 up to this day.



For Petitioners : Mr.Isaac Mohanlal Senior Counsel
for Mr.T.Cibi Chakraborty

For Respondents : Mr.M.Muthugeethayan
Special Government Pleader

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C O M M O N O R D E R

Since the issue involved in these writ petitions is one and the same, these writ petitions are taken up together and disposed of by this common order.

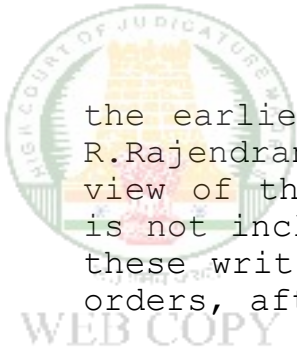
2. These writ petitions have been filed for a direction to the respondents to forbear from reducing the petitioners' salary from the present revised Selection Grade Pay Scale of Rs.15600 - 39100 + GP5400, which they have been drawing with notional effect from 01.01.2006 and with monetary benefits from 01.01.2011 up to this day.

3. The case of the petitioners is that initially the petitioners joined as Tutor cum Warden in the Government College Boys Hostel (BC), Ramanathapuram, on various dates and on completion of 10 years, they were granted Selection Grade Pay. Pursuant to the Sixth Central Pay Commission Report and the subsequent decision of the Central Government, the State Government adopted the same under G.O.(Ms).No.234 (Finance Pay Cell Department), dated 01.06.2009 and revised the scales of pay of the State Government employees. As a corollary, the petitioners' ordinary scale of pay was revised and they were granted Selection Grade Pay Scale of Rs.15600 - 39100 + GP5400, vide order of the fourth respondent, dated07.2011. While so, one R.Rajendran, who drew the salary, like the petitioners, as per the revised scale of pay, attained superannuation and retired from service on 31.12.2011. After few months, the fourth respondent has issued an order dated03.2012, cancelling the earlier order passed by the fourth respondent, dated ...07.2011, without granting an opportunity to the petitioners. Challenging the same, the present writ petitions have been filed.

4. The learned counsel appearing for the petitioners would submit that this Court may issue a direction to the respondents to pass orders, after hearing the petitioners.

5. The learned Special Government Pleader appearing for the respondents has no serious objection for such an order being passed by this Court.

6. Considering the facts and circumstances of the case, the scale of pay of the petitioners was revised, as per G.O.(Ms).No.234 (Finance Pay Cell Department), dated 01.06.2009. Thereafter, the fourth respondent has passed an order, dated ...03.2012, cancelling



the earlier order, granting revised scale of pay in favour of one R.Rajendran. However, till date no order of recovery was passed, in view of the interim order granted by this Court. Hence, this Court is not inclined to grant the relief sought for by the petitioners in these writ petitions. However, the respondents are directed to pass orders, after following the principles of natural justice.

7. With the above direction, these Writ Petitions are disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Akv

To

1.The Principal Secretary,
State of Tamil Nadu,
Department of Finance,
Fort St. George, Chennai-09.

2.The Principal Secretary,
State of Tamil Nadu,
Department of Backward Classes,
Most Backward Classes and Minorities Welfare,
Fort St. George, Chennai-09.

3.The Director,
Department of Backward Classes,
Most Backward Classes and Minorities Welfare,
College Road, Chennai-6.

4.The District Backward Classes,
Most Backward Classes and Minorities Welfare Officer,
Ramanathapuram, Ramnad District.

+1 CC to M/s.SPL GP (SR-13578[F] dated 25/03/2021)

+6 CC to M/s.ISAAC CHAMBERS, Advocate SR-13724 to 13728 & 13735[F]
dated 25/03/2021

W.P. (MD)Nos.6665 to 6670 of 2016

24.03.2021

kg (CO)

TR(25.06.2021) 3P 12C