



WEB COPY



WP Nos.13790, 13770, 13775, 11509,
11514, 11517, 19008 & 22294 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2022

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP Nos.13790, 13770, 13775, 11509,
11514, 11517, 19008 & 22294 of 2019

and

W.M.P.No.13976 of 2019

WP No.13790 of 2019

T.Sethu

..Petitioner

VS.

1.The State of Tamil Nadu,
Rep.by its Secretary to Government,
Personnel and Administrative Reforms Department,
Secretariat, Fort St.George,
Chennai – 600 009.

2.The State of Tamil Nadu,
Rep.by its Additional Chief Secretary to Government,
Finance Department,
Secretariat, Fort St.George,
Chennai – 600 009.

3.The State of Tamil Nadu,
Rep.by its Principal Secretary to Government,
Revenue Department,
Secretariat, Chennai – 600 009.

..Respondents



WP Nos.13790, 13770, 13775, 11509,
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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to issue the list of beneficiaries in respect of Senior Assistant promottee Assistant Section Officer in one unit and Finance Unit towards consequential rectification of pay anomaly as directed in G.O.Ms.No.31, Personnel and Administrative Reforms (U-Special) Department dated 01.03.2017 and consequently directing the respondents to provide pay and post parity for the petitioner on par with his junior Tmt.S.Saraswathy within a time frame to be fixed by this Honorable Court.

For Petitioner

[in W.P.Nos.13790, 13770, 13775,
11509, 11514, 11517 of 2019] : Mr.S.Nedunchezhiyan

[in W.P.Nos.19008 & 22294 of 2019] : Mr.K.Elango

For R1 & R3

[in W.P.Nos.13790, 11509, 11514,
11517, 19008 & 22294 of 2019]

and

For R1

[in W.P.Nos.13770 & 13775 of 2019]

: Mrs.S.Anitha
Special Government Pleader

For R2

[in all W.Ps]

: Mr.V.Ravi
Special Government Pleader



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COMMON ORDER

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The relief sought for in these writ petitions is to direct the respondents to issue the list of beneficiaries in respect of Senior Assistant promottee Assistant Section Officer in one unit and Finance Unit towards consequential rectification of pay anomaly as directed in G.O.Ms.No.31, Personnel and Administrative Reforms (U-Special) Department dated 01.03.2017 and consequently directing the respondents to provide pay and post parity for the petitioner on par with his junior Tmt.S.Saraswathy within a time frame to be fixed by this Hon'ble Court.

2. The petitioners were appointed in Tamil Nadu Secretariat Service in various Departments coming under one unit through Tamil Nadu Public Service Commission (TNPSC). The petitioners were promoted to various categories of posts.

3. The grievances of the petitioners are that there is a pay parity in between the juniors and seniors and in this regard, several representations were submitted by the aggrieved employees. In order to rectify the anomaly



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between the seniors in One Unit and the juniors in Finance Unit, up-gradations/stepping up of pay of seniors on par with their juniors were granted by the Government in G.O.Ms.No.31, Personnel and Administrative Reforms Department, dated 01.03.2017. The grievances of the writ petitioners are that in spite of the Government Order passed in this regard, no further action has been taken to grant the actual benefits.

4. The learned counsel for the petitioners mainly contended that para-11 of the said Government Order in G.O.Ms.No.31, is to be implemented with reference to the grievances of the petitioners. The list of eligible seniors for stepping up of pay on par with their juniors were also issued by the Government in letter dated 04.11.2020. Thus, the Government Order and the consequential letter dated 04.11.2020 are to be implemented for the purpose of stepping up of pay of the writ petitioners on par with their juniors within one Unit.

5. The learned Special Government Pleader appearing on behalf of the respondents made a submission that the applicability or otherwise of



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the Government Orders are to be verified with reference to the service records of the petitioners concerned.

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6. Considering the facts and circumstances, the respondents are directed to consider the claim of the writ petitioners based on their representations and accordingly take decision and pass orders on merits and in accordance with law as expeditiously as possible, preferably within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, all the writ petitions stand disposed of. However, there shall be no order as to costs. Consequently connected miscellaneous petition is closed.

07.11.2022

Index : Yes
Internet : Yes
Speaking Order
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To

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1. The Secretary to Government,
State of Tamil Nadu,
Personnel and Administrative Reforms Department,
Secretariat, Fort St. George,
Chennai – 600 009.
2. The Additional Chief Secretary to Government,
State of Tamil Nadu,
Finance Department,
Secretariat, Fort St. George,
Chennai – 600 009.
3. The Principal Secretary to Government,
State of Tamil Nadu,
Revenue Department,
Secretariat, Chennai – 600 009.



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S.M.SUBRAMANIAM, J.

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