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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.06.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WRIT PETITION NO.4546 OF 2014

&

M.P.NOS. 1 & 2 OF 2014

Rama Arumugam

... Petitioner

-Vs-

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

2. The Commissioner of Treasuries and Accounts,
Panagal Building,
Saidapet, Chennai - 600 015.

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records pertaining to the impugned order passed by the 1st respondent in G.O.Ms.No.242, Finance (Pay Cell) Department dated 22.07.2013 and quash the same in so far it relates to reducing the scale of pay of Assistant Engineer.

For Petitioner : M/s.Kaavya Sillambanan
For M/s.Profexs Associates

For R1 and R2 : Mr.L.S.M.Hasan Fizal
Special Government Pleader

O R D E R

The writ petition has been instituted, questioning the validity of the order passed by the Government in G.O.Ms.No.242, Finance (Pay Cell) Department dated 22.07.2013, through which, the scale of the pay enhanced was sought to be reduced.



2. Pursuant to the pay commission recommendations, revision of scale of pay was effected in respect of certain categories. The said revision was implemented and subsequently, Government orders were passed, enhancing the pay and such enhancement was found to be irregular and the Government consequently cancelled the Government order and reduced the scale of pay.

3. The order of cancellation was challenged by the employees working in several categories and those writ petitions were decided by the Hon'ble High Court. The Hon'ble Division Bench of the High Court of Madras delivered a judgement on 27.02.2014 and the State preferred an appeal before the Hon'ble Supreme Court of India in SLP (C) Nos.35679 to 35838 of 2014 and the Apex Court granted an interim order in the said appeal. The main appeal is pending and under these circumstances, the petitioners have to wait for the final outcome of the appeal now pending before the Hon'ble Supreme Court of India.

4. In view of the fact that the issues are now subjudiced before the Apex Court, no relief needs to be considered in the present writ petition. The orders to be passed by the Hon'ble Supreme Court in the above SLP is to be extended to the writ petitioner and after the disposal of the SLP, the petitioner is at liberty to approach the competent authorities for appropriate remedy.

5. With these observations, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

sha/kak

To

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



2. The Commissioner of Treasuries and Accounts,
Panagal Building,
Saidapet, Chennai - 600 015.

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+1cc to M/s.Kaavya Sillambanan, Advocate, S.R.No.32811
+1cc to Government Pleader, SR.NO.33633

W.P.No.4546 of 2014

GPL (CO)
PM/16/06/2022