



WEB COPY



WP.Nos.24662, 24663, 24664 and 24665 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 14.11.2022

Coram:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

**W.P. Nos.24662, 24663, 24664 and 24665 of 2014
and M.P.Nos.2, 2, 2 and 2 of 2014**

W.P. No.24662 of 2014:

N.Rajaram

... Petitioner

Vs.

1.The Government of Tamilnadu
Rep.by its Secretary
Higher Education (G2) Department
Secretariat, Chennai – 2.

2.The Director of College Education
E.V.K.Sampath Maligai
College Road, Chennai – 6.

3.Arignar Anna Government Arts College
Namakkal – 637 002.
Namakkal District
Rep.by its Principal.

... Respondents

W.P. No.24663 of 2014:

T.Karuppusamy

... Petitioner

Vs.

Page No.1/9



WP.Nos.24662, 24663, 24664 and 24665 of 2014

1.The Government of Tamilnadu
Rep.by its Secretary
Higher Education (G2) Department
Secretariat, Chennai – 2.

2.The Director of College Education
E.V.K.Sampath Maligai
College Road, Chennai – 6.

3.The Regional Joint Director of Collegiate Education
Race Course
Coimbatore – 641 018.

... Respondents

W.P. No.24664 of 2014:

V.Selvanayagam

... Petitioner

Vs.

1.The Government of Tamilnadu
Rep.by its Secretary
Higher Education (G2) Department
Secretariat, Chennai – 2.

2.The Director of College Education
E.V.K.Sampath Maligai
College Road, Chennai – 6.

3.Chikkanna Government Arts College
Thiruppur, Thiruppur District
Rep.by its Principal

... Respondents

W.P. No.24665 of 2014:

B.Premarani

... Petitioner

Vs.



WP.Nos.24662, 24663, 24664 and 24665 of 2014

1.The Government of Tamilnadu
Rep.by its Secretary
Higher Education (G2) Department
Secretariat, Chennai – 2.

2.The Director of College Education
E.V.K.Sampath Maligai
College Road, Chennai – 6.

3.Arignar Anna Government Arts College
Vadachennimalai, Auttur
Salem District – 636 121.
Rep.by its Principal

... Respondents

Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent pertaining to its order order bearing letter No.4867/G2/2014-2 dated 05.06.2014 and the consequential order of the 2nd respondent in Na.Ka.No.15641/P2/2011 dated 22.07.2014 and quash the same and consequently direct the respondents not to effect any recovery in pursuance to the same.

In all the W.P.'s:-

For Petitioner	:	Mr.G.Ravikuar for M/s S.Ramasamy Law Asso.
For Respondents	:	Mr.C.Jayaprakash Government Advocate



WEB COPY



WP.Nos.24662, 24663, 24664 and 24665 of 2014

COMMON ORDER

These Writ Petitions have been filed, for issuance of a Writ of Certiorarified Mandamus, to call for the records on the file of the 1st respondent pertaining to its order order bearing letter No.4867/G2/2014-2 dated 05.06.2014 and the consequential order of the 2nd respondent in Na.Ka.No.15641/P2/2011 dated 22.07.2014 and quash the same and consequently direct the respondents not to effect any recovery in pursuance to the same.

2.Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents and also perused the materials available on record.

3.It is brought to the notice of this Court that the similarly placed persons, like the petitioners herein, have already filed a batch of Writ Petitions in W.P.(MD) Nos.16379 of 2014 and the same has reached its finality, by an order of dismissal dated 08.12.2020. Relevant paragraphs are



WP.Nos.24662, 24663, 24664 and 24665 of 2014

extracted hereunder:-

WEB COPY

“17.The learned counsel for the petitioners made a submission that some of the juniors to the petitioners are getting more pay, than that of the petitioners. It is needless to state that Fundamental Rules stipulates that if any junior is getting more pay, the senior can submit an application for grant of equivalent pay on par with the junior by following the procedures contemplated under the Fundamental Rules. In this regard, a comparative statement is to be filed and the authority competent have to follow the Rules in this regard. Thus, any of the petitioners are aggrieved on account of the fact that their juniors are getting more pay, then they are at liberty to approach the competent authority for the purpose of enhancement of their pay on par with their juniors.

18.However, this cannot be a ground to assail the impugned orders now passed. The impugned orders are passed in accordance with the Government Order regarding the fixation of Scale of Pay and there is no infirmity as such. The petitioners are not entitled to



WP.Nos.24662, 24663, 24664 and 24665 of 2014

claim the Scale of Pay or the Grade Pay attached to the post of Selection Grade or Special Grade Laboratory Assistants as they were already promoted and are getting the Scale of Pay attached to the promoted post. This being the factum established, the writ petitioners are not entitled for the relief as such sought for in these writ petitions.”

4.The learned counsel for the petitioners do not dispute the fact that the petitioners herein are also similarly placed as that of petitioners in W.P.(MD) Nos.16379 of 2014 etc., Batch. Hence, following the order dated 08.12.2020 made in W.P.(MD) Nos.16379 of 2014 etc., Batch, the petitioners are not entitled for the relief sought for in these Writ Petitions.

5.Accordingly, these Writ Petitions are dismissed. No costs. Consequently connected miscellaneous Petitions are closed.

14.11.2022

Index:Yes/No
Internet:Yes/No
Speaking Order: Yes/No
Jer

Page No.6/9



WP.Nos.24662, 24663, 24664 and 24665 of 2014

To

1.The Secretary
Government of Tamilnadu
Higher Education (G2) Department
Secretariat, Chennai – 2.

2.The Director of College Education
E.V.K.Sampath Maligai
College Road, Chennai – 6.

3.The Principal
Arignar Anna Government Arts College
Namakkal – 637 002.
Namakkal District

4.The Regional Joint Director of Collegiate Education
Race Course
Coimbatore – 641 018.

5.The Principal
Chikkanna Government Arts College
Thiruppur, Thiruppur District.

6.The Principal
Arignar Anna Government Arts College
Vadachennimalai, Auttur
Salem District – 636 121.



WEB COPY



WP.Nos.24662, 24663, 24664 and 24665 of 2014

J.NISHA BANU, J.,

Jer

W.P. Nos.24662, 24663, 24664 and 24665 of 2014



WEB COPY



WP.Nos.24662, 24663, 24664 and 24665 of 2014

14.11.2022