



WEB COPY



W.P.No.19324 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.19324 of 2018

K.Janaki

... Petitioner

Vs.

The State of Tamil Nadu
Rep. by its Principal Secretary to Government,
P & AR Department,
Secretariat, Fort St. George,
Chennai – 600 009.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant pay and post parity for the petitioner on par with her junior Thiru.R.Ayyavoo in Finance Department in furtherance to implementation to the orders issued by State Government in G.O.Ms.No.31 P & AR (U Special) Department dated 01.03.2017.

For Petitioner

: Mr.S.Nedunchezhiyan

For Respondent

: Mr.R.P.Murugan Raja
Government Advocate



W.P.No.19324 of 2018

ORDER

WEB COPY

The relief sought for in the present writ petition is to direct the respondents to grant pay and post parity for the petitioner on par with her junior Thiru.R.Ayyavoo in Finance Department in furtherance to implementation to the orders issued by State Government in G.O.Ms.No.31 P & AR (U Special) Department dated 01.03.2017.

2. The petitioner states that he was initially appointed as Typist in Tamil Nadu Secretariat Service on 15.10.1974. She was promoted as Assistant Section Officer on 19.12.1993 and upgraded as Section Officer with effect from 29.05.1998. The petitioner was again regular promotion to the post of Section Officer 06.02.2006 and further, promoted as Under Secretary on 03.02.2010. The petitioner reached the age of superannuation and retired from service on 31.07.2012.

3. The grievance of the writ petitioner is that the pay parity on par with the juniors working in the Finance Department has not been extended to her.



4. Regarding the claim of the writ petitioner, this Court has considered and passed orders in a batch of writ petitions in ***W.P.Nos.21645 of 2014 and etc. and batch*** which was decided by this Court on 14.06.2022 and the relevant paragraphs of the said order are extracted hereunder:

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

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.



WEB COPY



W.P.No.19324 of 2018

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

5. In view of the orders passed by this Court in the case (cited *supra*), the present Writ Petition is also disposed of on the same line. However, there shall be no orders as to costs.

28.10.2022

Jeni

Index : Yes

Speaking order

To

The State of Tamil Nadu

Rep. by its Principal Secretary to Government,

P & AR Department,

Secretariat, Fort St. George,

Chennai – 600 009.



WEB COPY



W.P.No.19324 of 2018

S.M.SUBRAMANIAM, J.

Jeni

W.P.No.19324 of 2018

28.10.2022