



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) Nos.1661, 24375, 24761 & 25975 of 2019

4601, 4602, 6323, 6359, 6843, 6923, 7070, 7915, 7918, 8029, 8902,
8971, 9413, 9823, 9841, 9977, 9978, 9986, 10003, 11379, 11392,

11418, 12373 & 16234 of 2020

1787, 8954, 8959, 9175, 9177, 9180, 9182, 9183, 9184, 9185, 9186,
9199, 9200, 9265 & 16686 of 2021

1711 & 1716 of 2022

and

W.M.P. (MD) Nos.1415, 1416, 21006, 21367 & 22968 of 2019

3955, 3957, 3958, 3959, 5555, 5597, 5598, 6250, 6346, 6347, 7381,
7382, 7386, 7387, 7461, 7462, 8151, 8152, 8202, 8203, 8540, 8541,
8809, 8811, 8812, 8825, 8826, 8916, 8917, 8918, 8919, 8921, 8923,
8924, 8925, 8927, 8928, 8929, 8930, 8936, 9952, 9953, 9968, 9972,

9993, 9994, 10583, 10584, 10587, 13573, 13574, 13575 & 13576 of 2020
1519, 1521, 6754, 6755, 6910, 6911, 6914, 6916, 6917, 6918, 6919,

6920, 6931, 6932, 6933, 6978, 11066, 11067, 13572, 16915 & 16916 of

2021

727, 789, 811, 815, 838, 844, 918, 925, 1027, 1512, 1514, 1526,
1528, 1537, 1538, 1540, 1542 & 1543 of 2022

WP(MD) No. 1661/ 2019

M.Shanmuganantham ... Petitioner in WP(MD) No. 1661/ 2019

Vs. -

1. The State of Tamil Nadu,
Rep.By its Principal Secretary,
Department of Higher Education
Fort St.George, Chennai- 600009.

2. The Commissioner of Technical Education,
Directorate of Technical Education (DOTE),
53, Sardar Patel Road, Guindy, Chennai-600025.

3. The Accounts-General
Office of the Accountant General
(Accounts & Entitlements) Tamil Nadu,
361, Anna Salai, Teynampet, Chennai-600018.

4. The State of Tamil Nadu, Rep.By its Secretary,
Personnel and Administrative Reforms
Department, Fort St.George,
Chennai-600009.



5. The Chairman,
All India Council For Technical Education,
Nelson Mandela Marg,
Vasant Kunj, New Delhi-110070.

...Respondents in WP(MD) No. 1661/ 2019

Prayer in WP(MD) No. 1661/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned G.O.Ms.No.58 dated 21.03.2018 issued by the 1st Respondent and quash the same as illegal and consequentially direct the Respondents to follow the existing Recruitment Rules (RRs) and sanction all due promotions with arrears of back wages.

For Petitioner .. Mr.Rajpal Singh
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP
For RR1, 2 & 4
Mr.P.Gunasekaran for R3
Mr.N.Dilip Kumar for R5

WP(MD) No. 24375/ 2019

S.Krishnamurthy ... Petitioner in WP(MD) No. 24375/ 2019

- Vs. -

1. The State of Tamilnadu
Rep.By its Principal Secretary Department of Higher Education
Fort.St.George, Chennai-09

2. The Director of Technical Education,
Directorate of Technical Education (DOTE),
53, Sardar Patel Road, Gundy, Chennai-25

3. The Principal
Srinivasa Subburaya Polytechnic College,
Puttur, Sirkali Tk,
Nagapattinam District -609108

... Respondents in WP(MD) No. 24375/ 2019

Prayer in WP(MD) No. 24375/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records relating to the impugned proceedings No.36686/B3/2019 dt.15/10/2019 of the 2nd respondent and quash the same as illegal.



For Petitioner .. Mr.Rajpal Singh
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP
For RR1, 2
R3 - N A

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WP (MD) No. 24761/ 2019

A.Baskaran ... Petitioner in WP(MD) No. 24761/ 2019

- Vs. -

1. The State of Tamilnadu
Rep. by its Principal Secretary Department of Higher Education,
Fort St. George, Chennai-09

2. The Director of Technical Education,
Directorate of Technical Education (DOTE),
53, Sardar Patel Rd, Guindy, Chennai-25

3. The Principal Srinivasa Subburaya Polytechnic College,
Puttur, Sirkali Tk,
Nagapattinam District - 609108

... Respondents in WP(MD) No. 24761/ 2019

Prayer in WP(MD) No. 24761/ 2019 :

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court Calling for the records
relating to the impugned proceedings No. 36686/B3 2019 dated 15-Oct-
2019 of the 2nd respondent and quash the same as illegal.

For Petitioner .. Mr.Rajpal Singh
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP
For RR1, 2
R3 - N A

WP (MD) No. 25975/ 2019

T.Hariharasubramanian .. Petitioner in WP(MD) No. 25975/ 2019

- Vs. -

1. The Principal Annamalai Polytechnic College,
Chettinad-630 102,
Sivagangai Dist .. Respondent in WP(MD) No. 25975/ 2019



Prayer in WP(MD) No. 25975/ 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Call for the records relating to 132/A3/2019 dated 21.10.2019 on the file of the respondent, quash the same and direct the respondents to draw and disburse the cash benefits of encashment of earned Leave at credit.

For Petitioner .. Mr.N.Tamilmani
For Respondent .. Mrs.A.Aishwarya Sandaleena

WP(MD) No. 4601/ 2020

R.Parthasarathy ... Petitioner in WP(MD) No. 4601/ 2020

- Vs. -

1. The State of Tamil Nadu, Rep.By its Secretary,
Department of Technical Education,
Fort.St.George, Chennai-600 006

2. All India Council For Technical Education,
Rep.By its Member Secretary,
I.G.Sports Complex, I.P.Estate, New Delhi-110 002

3. The Commissioner
The Directorate of Technical Education, Guindy, Chennai-25

4. The Assistant Director of Internal Audit, Madurai Mukkam,
Sivagangai-630 561

5. The Principal Annamalai Polytechnic College, Chettinad-630 102,
Sivagangai District ...Respondents in WP(MD) No. 4601/ 2020

Prayer in WP(MD) No. 4601/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court calling for the records relating to the impugned proceedings issued by 5th respondent principal issued impugned proceedings in No.238 / A3 / 2019-2 dt 21/10/2019.

For Petitioner ..Mr.K.Ragatheesh Kumar
for M/s Isaac Chambers
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP
For RR 1, 3 & 4
Mr.N.Dilip Kumar for R2
Mrs. A.Aishwarya Sandaleena
for R5



WP (MD) No. 4602/ 2020

D.Jayendran ... Petitioner in WP(MD) No. 4602/ 2020

- Vs. -

1. The State of Tamil Nadu
Rep.By its Secretary, Department of Technical Education,
Fort.St.George, Chennai-600 006
2. All India Council For Technical Education,
Rep.By its Member Secretary, I.G.Sports Complex,
I.P.Estate, New Delhi-110 002
3. The Commissioner The Directorate of Technical Education,
Guindy, Chennai-25
4. The Assistant Director of Internal Audit, Madurai Mukkam,
Sivagangai-630 561
5. The Principal Annamalai Polytechnic College,
Chettinad-630 102,
Sivagangai District ...Respondents in WP(MD) No. 4602/ 2020

Prayer in WP(MD) No. 4602/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Calling for the records relating to the impugned proceedings issued by 5th respondent Principal issued impugned proceedings in No.238 / A3 / 2019-2 dt 21/10/2019 .

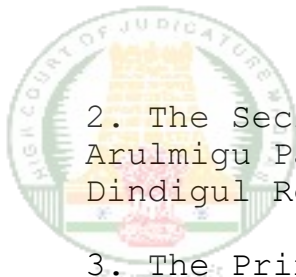
For Petitioner	..	Mr.K.Ragatheesh Kumar for M/s Isaac Chambers
For Respondents	..	Mr. Veerakathiravan, A.A.G. Assisted by Mr.N.Satheesh Kumar, AGP For RR 1, 3 & 4 Mr.N.Dilip Kumar for R2 Mrs. A.Aishwarya Sandaleena for R5

WP (MD) No. 6323/ 2020

S.Baskaran ... Petitioner in WP(MD) No. 6323/ 2020

- Vs. -

1. The Commissioner
Directorate of Technical Education, Guindy, Chennai



2. The Secretary
Arulmigu Palani Andavar Polytechnic College,
Dindigul Road, Palani, Dindigul

3. The Principal Arulmigu Palani Andavar Polytechnic College,
Dindigul Road, Palani,
Dindigul District ... Respondents in WP(MD) No. 6323/ 2020

Prayer in WP(MD) No. 6323/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorari, calling for the records relating to the impugned recovery order issued by the 3rd respondent in his proceedings in Se.Mu.Ka.No. 005/A4/2020 dated 15.4.2020.

For Petitioner ..Mr.C.Venkatesh Kumar for
M/s Ajmal Associates
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.D.Sadiq Raja for R1
Mr.V.R.Shanmuganathan
for RR 2 & 3

WP(MD) No. 6359/ 2020

V.Jayalakshmi ... Petitioner in WP(MD) No. 6359/ 2020

- Vs. -

1. The Commissioner
Directorate of Technical Education, Guindy, Chennai

2. The Secretary
Arulmigu Palani Andavar Polytechnic College,
Dindigul Road, Palani, Dindigul District

3. The Principal Arulmigu
Palani Andavar Polytechnic College,
Dindigul Road, Palani,
Dindigul District ...Respondents in WP(MD) No. 6359/ 2020

Prayer in WP(MD) No. 6359/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari, calling for the records relating to the impugned re-fixation order passed by the 1st respondent in his proceedings in Seyalmurai Aanai No.35822/C1/2018-2 dated 27.2.2020 and consequential impugned recovery order passed by the 3rd respondent in his proceedings in Se.Mu.Ka.No.005/A4/2020 dated 15.4.2020



For Petitioner ..Mr.C.Venkatesh Kumar for
M/s Ajmal Associates
For Respondents ..Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.D.Sadiq Raja for R1
Mr.V.R.Shanmuganathan
for RR 2 & 3

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WP (MD) No. 6843/ 2020

S.B.Pattabiraman ... Petitioner in WP(MD) No. 6843/ 2020

- Vs. -

1. The State of Tamil Nadu
Rep. by its Principal Secretary Department of Higher Education,
Fort St.George, Chennai-600 009.

2. The Commissioner of Technical Education,,
Directorate of Technical Education (DOTE),
53, Sardar Patel Road, Guindy, Chennai-600 025.

3. The Principal Muthiah Polytechnic College,
Annamalai Nagar, Chidambaram RS,
Cuddalore District -608 002.

...Respondents in WP(MD) No. 6843/ 2020

Prayer in WP(MD) No. 6843/ 2020 :

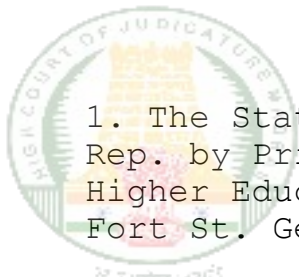
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Pleased to issue a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction in the nature of writ calling for the records relating to the impugned proceedings No.35822/C1/2018-2 dated 19-Feb-2020 of the 2nd respondent and the impugned refixation/recovery order issued by the 3rd respondent in MP.No.344/A1/2010 dated 23-Mar-2020 and quash the same as illegal and consequentially directing the respondents not to recover the alleged excess salary from the petitioner.

For Petitioner .. Mr. Rajpal Singh
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.D.Sadiq Raja, AGP
For RR1 & 2
R3 - N.A

WP (MD) No. 6923/ 2020

S.Nagarajan ... Petitioner in WP(MD) No. 6923/ 2020

- Vs. -



1. The State of Tamil Nadu
Rep. by Principal Secretary to Government,
Higher Education Department,
Fort St. George, Secretariat, Chennai 600 009

2. The Director of Technical Education,,
Guindy, Chennai 600 025

3. The Correspondent,
Arulmighu Palaniandavar Polytechnic College,
Palani 624 601

4. The Principal,
Arulmighu Palaniandavar Polytechnic College,
Palani 624 601 ... Respondents in WP(MD) No. 6923/ 2020

Prayer in WP(MD) No. 6923/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorari to call for the records relating to the impugned Proceedings issued by the 4th respondent in Che.Mu.Ka.No. 005/A4/2020 dated 15.04.2020 (ante-dated), served on 11.05.2020.

For Petitioner .. Mr. F.Deepak
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.D.Sadiq Raja, AGP
for RR1 & 2
RR3-VR.Shanmuganathan.

WP(MD) . 7070/ 2020

S.Vijayaraghavan .. Petitioner in WP(MD) . 7070/ 2020

vs

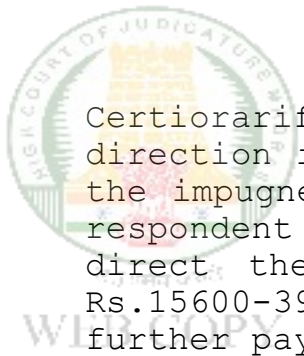
1. The State of Tamil Nadu
Rep. by its Principal Secretary,
Department of Higher Education Fort St.George,
Chennai-600 009.

2. The Commissioner of Technical Education,
Directorate of Technical Education (DOTE),
53, Sardar Patel Road, Guindy, Chennai-600 025.

3. The Principal Government Polytechnic College,
Thuvakudimalai,
Tiruchirappalli-620 022. .. Respondents in WP(MD) No. 7070/ 2020

Prayer in WP(MD) No. 7070/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of



Certiorarified Mandamus or any other appropriate writ or order or direction in the nature of writ calling for the records relating to the impugned proceedings No.1598/E1/2010-3 dt 06.08.2010 of the 3rd respondent and quash the same as illegal and to consequentially direct the respondents to fix the petitioner in pay scale of Rs.15600-39100 plus AGP Rs.8000 /- as on 01.01.2006 and sanction all further pay progressions with applicable monetary benefits

For Petitioner .. Mr.Rajpal Singh
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP

WP(MD) No. 7915/ 2020

K.Malathi ... Petitioner in WP(MD) No. 7915/ 2020

- Vs. -

1. The State of Tamilnadu
Rep. by its Principal Secretary Department of Higher Education
Fort St. George, Chennai - 600 009

2. The Commissioner of Technical Education,,
Directorate of Technical Education (DOTE),
53, Sardar Patel Road, Guindy, Chennai - 600 025

3. The Principal Government Polytechnic College,
Thuvakudimalai, Tiruchirappalli, Pin -620 022

4. The Principal Government Polytechnic College,
Nagapadi,
Tiruvannamalai District, Pin -606 705.

... Respondents in WP(MD) No. 7915/ 2020

Prayer in WP(MD) No. 7915/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings No. 36703/B3/2019-1 dated 12-Jun-2020, of the 2nd Respondent and quash the same as illegal and to consequentially direct the Respondents to fix the Petitioner in pay scale of Rs. 15600-39100 plus AGP8000 as on 01.01.2006 and sanction all further pay progressions with applicable monetary benefits.

For Petitioner .. Mr.Rajpal Singh
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP



WP (MD) No. 7918/ 2020

S.Vijayaraghavan

... Petitioner in WP(MD) No. 7918/ 2020

- Vs. -

1. The State of Tamilnadu

Rep by its Principal Secretaty Dept of Higher Education
Fort St.George, Chennai-600 009

2. The Commissioner of Technical Education,
Directorate of Technical Education (DOTE)
53, Sardar Patel Road, Guindy, Chennai-600 025

3. The Principal

Govt Polytechnic College, Thuvakudimalai,
Tiruchirapalli-620022

...Respondents in WP(MD) No. 7918/ 2020

Prayer in WP(MD) No. 7918/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to calling for the records relating to the impugned guidelines issued vide clause 3 in proceedings no.8712/A3/2019 dt 30.1.2020 of the 2nd respondent and quash the same as illegal and to consequentially direct the respondents to fix the petitioner in pay scale as mandated by G.O.(Ms).no.20 Higher Education(C2) Department dt 14.1.2020 read with G.O.(Ms) no.303 Finance (Pay Cell) Dept dt 11.10.2017 and sanction all further pay progressions with applicable monetary benefits .

For Petitioner

.. Mr.Rajpal Singh

For Respondents

.. Mr. Veerakathiravan, A.A.G.

Assisted by

Mr.N.Satheesh Kumar, AGP

WP (MD) No. 8029/ 2020

A.Asokarajan

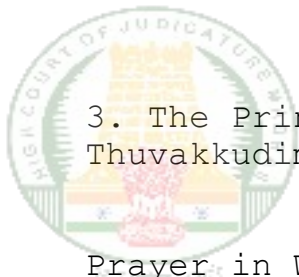
... Petitioner in WP(MD) No. 8029/ 2020

- Vs. -

1. The State of Tamil Nadu

Rep. by its Principal Secretary Department of Higher Education
Fort St.George, Chennai - 600 009.

2. The Director of Technical Education,
Directorate of Technical Education (DOTE), 53,
Sardar Patel Road, Gundy, Chennai - 600 025.



3. The Principal Government Polytechnic College,
Thuvakkudimalai, Tiruchirapalli- 620 022.

... Respondents in WP(MD) No. 8029/ 2020

Prayer in WP(MD) No. 8029/ 2020 :

WEB COPY Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorarified Mandamus or any other appropriate writ or order or direction in the nature of writ calling for the records relating to the impugned proceedings No.36713/B3/2019-1 dated 12-06-2020, of the 2nd Respondent and quash the same as illegal and to consequentially direct the respondents to fix the petitioner in pay scale of Rs.15600-39100 plus AGP Rs.8000/- as on 01-01-2006 and sanction all further pay progressions with applicable monetary benefits.

For Petitioner	..	Mr.Rajpal Singh
For Respondents	..	Mr. Veerakathiravan, A.A.G.
		Assisted by
		Mr.N.Satheesh Kumar, AGP

WP(MD) No. 8902/ 2020

Pl. Annamalai ... Petitioner in WP(MD) No. 8902/ 2020

- Vs. -

1. The State of Tamil Nadu Rep by its Principal Secretary,
Department of Higher Education
Fort, St.George, Chennai-009

2. The Director of Technical Education,
Directorate of Technical Education, (DOTE) 53,
Sardar Patel Road, Guindy, Chennai-600 025

3. The Principal Muthiah Polytechnic College,
Annamalai Nagar,
Chidambaram RS-608 002

... Respondents in WP(MD) No. 8902/ 2020

Prayer in WP(MD) No. 8902/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction in the nature of Writ calling for the records relating to the impugned proceedings No.35822/C1/2018-5 dated 14.7.2020 of the 2nd respondent and quash the same as illegal and to consequentially direct the respondents to fix the petitioner in Pay Band IV in the pay scale of Rs.37400 - 67000 Plus AGP Rs.9000 on 1.Jan.2009 and sanction all further pay progressions with applicable monetary



For Petitioner
For Respondents

.. Mr.Rajpal Singh
.. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP
for RR1 & 2
R3 - N.A.

WP (MD) No. 8971/ 2020

M.Selvaraj ... Petitioner in WP(MD) No. 8971/ 2020

- Vs. -

1. The State of Tamil Nadu
Rep by its Principal Secretary,
Department of Higher Education Fort St.George,
Chennai-009

2. The Director of Technical Education,
Directorate of Technical Education, (DOTE)
53, Sardar Patel Road, Guindy, Chennai-025

3. The Principal Muthaiah Polytechnic College,
Annamalai Nagar,
Chidambaram RS-608 002

... Respondents in WP(MD) No. 8971/ 2020

Prayer in WP(MD) No. 8971/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus or any other appropriate Writ or order or direction in the nature of Writ calling for the records relating to the impugned proceedings No.35822/C1/2018-5 dated 14.Jul.2020 of the 2nd respondent and quash the same as illegal and to consequentially direct the respondents to fix the petitioner in pay band IV in the pay scale of Rs.37400- Rs.67000 Plus AGP Rs.9000 on 1.Jan.2006 and sanction all further pay progressions with applicable monetary benefits.

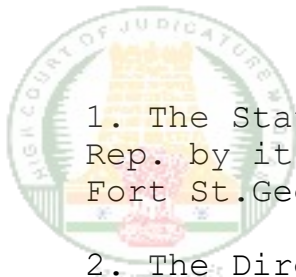
For Petitioner
For Respondents

.. Mr.Rajpal Singh
.. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.D.Sadiq Raja AGP
for RR1 & 2
R3 - N.A.

WP (MD) No. 9413/ 2020

G.Suresh ... Petitioner in WP(MD) No. 9413/ 2020

- Vs. -



1. The State of Tamil Nadu
Rep. by its Principal Secretary Department of Higher Education
Fort St.George Chennai-09

2. The Director of Technical Education,
Directorate of Technical Education, (DOTE)
53, Sardar Patel Road, Guindy Chennai-25

3. The Principal Muthaiah Polytechnic College
Annamalai Nagar
Chidambaram Rs Pin-608002

... Respondents in WP(MD) No. 9413/ 2020

Prayer in WP(MD) No. 9413/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Pleased to issue a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction in the nature of writ calling for the records relating to the impugned proceedings No.35822/C1/2018-5 dated 14 Jul-2020 of the 2nd Respondent and Quash the same as illegal and to consequentially direct the Respondents to Reinstate the Petitioner in Pay Band IV in the pay scale of Rs 37400 to Rs 67000 Plus AGP Rs 9000 on 18 -Mar-2007 and sanction all further pay progressions with applicable monetary benefits

For Petitioner	..	Mr.Rajpal Singh
For Respondents	..	Mr. Veerakathiravan, A.A.G.
		Assisted by
		Mr.N.Satheesh Kumar, AGP
		for RR1 & 2
		R3 - N.A.

WP(MD) No. 9823/ 2020

D.James Manohar ... Petitioner in WP(MD) No. 9823/ 2020

- Vs. -

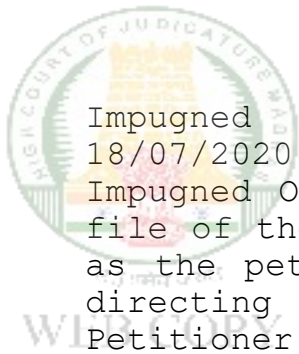
1. The Director of Technical Education,
Directorate of Technical Education, Gunidy , Chennai - 25

2. N.M.S.Kamaraj Polytechnic College,,
Rep by its Principal ,
Palavilai, Kanyakumari District

...Respondents in WP(MD) No. 9823/ 2020

Prayer in WP(MD) No. 9823/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus to call for the records pertaining to the



Impugned Order in Seyalmurai Aanai No. 4272/C2/2019-2 dated 18/07/2020 on the file of the Respondent No.1 and the Consequential Impugned Order in No .NMSKP-0122-2-A1-2020 dated 29/07/2020 on the file of the Respondent No.2 and quash the same as illegal in so far as the petitioner is concerned and consequently for a direction , directing the Respondents to refix the scale of pay of the Petitioner as Rs.15,600 - 39100 plus Rs.8000 AGP with effect from 01/01/2006 and Rs.37,400 - 67,000 plus Rs.9000 AGP with effect from 01/01/2009 and disburse the monetary benefits including arrears to the Petitioner within the time period stipulated by this Court

For Petitioner	..	Mr.T.Aswin Rajasimman for Mr.T.Lajapthiroy
For Respondents	..	Mr. Veerakathiravan, A.A.G. Assisted by Mr.N.Satheesh Kumar, AGP for R1 R2 - N.A.

WP(MD) No. 9841/ 2020

K.Sanjeevi ... Petitioner in WP(MD) No. 9841/ 2020

- Vs. -

1. The State of Tamil Nadu Rep. by its Principal Secretary,
Department of Higher Education Fort,
St.George, Chennai-600 009.

2. The Director of Technical Education,
Directorate of Technical Education, (DOTE),
53, Sardar Patel Road, Guindy, Chennai-600 025.

3. The Principal Muthiah Polytechnic College,
Annamalai Nagar,
Chidambaram RS Pin-608002.

... Respondents in WP(MD) No. 9841/ 2020

Prayer in WP(MD) No. 9841/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARI MANDAMUS or any other appropriate writ or order or direction in the nature of writ calling for the records relating to the impugned proceedings No.35822/C1/2018-5 dated 14-Jul-2020, of the 2nd Respondent and QUASH the same as illegal and to consequentially direct the Respondents to FIX the petitioner in Pay Band IV in the pay scale of Rs.37400 - Rs.67000 plus AGP Rs.9000 on 01-Jan-2009 and sanction all further any progressions with applicable monetary benefits

For Petitioner	..	Mr.Rajpal Singh
For Respondents	..	Mr. Veerakathiravan, A.A.G. Assisted by Mr.N.Satheesh Kumar, AGP



for RR1 & 2
R3 - N.A.

WP(MD) No. 9977/ 2020

1.A.Balakrishnan
2. T. Vasantha
3. E. Edison Jose
4. J. Arul Daya Moni

...Petitioners in WP(MD) No. 9977/ 2020

- Vs. -

1. The State of Tamil Nadu
Rep. by Principal Secretary to Government, Higher Education
Department,
Fort St. George, Chennai -600 009

2. The Commissioner of Technical Education,,
Directorate of Technical Education, Guindy, Chennai -600 025

3. The Principal Kamaraj Polytechnic College,
Pazhavilai,
Nagercoil -629 501. ...Respondents in WP(MD) No. 9977/ 2020

Prayer in WP(MD) No. 9977/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of certiorarified Mandamus or any other writ order or direction calling for the records of the 2nd respondent having Ref.No.4272/C2/2019-3, dated 18/07/2020 and the consequential proceedings of the 3rd respondent having Ref.No.NMSKP-0122-3-A1-2020 dated 29/07/2020 and quash the same as erroneous in law and consequently fix the pay band of the Petitioners at Rs.37400 - 67000 plus AGP 9000 as on 01/01/2009 and continue to pay the pension of the Petitioners based on the pay band of Rs.37400-67000 plus AGP 9000

For Petitioner
For Respondents

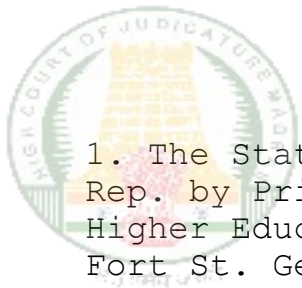
.. Nr.S.Karthik
.. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP
for RR1 & 2
R3 - N.A.

WP(MD) No. 9978/ 2020

1.M. Parasuram
2. J. Celine Rani
3. M. Mohanadhas
4. A. Thamizharasan

... Petitioners in WP(MD) No. 9978/ 2020

- Vs. -



1. The State of Tamil Nadu
Rep. by Principal Secretary to Government,
Higher Education Department,
Fort St. George, Chennai -600 009

2. The Commissioner of Technical Education,,
Directorate of Technical Education,
Guindy, Chennai -600 025

3. The Principal
Kamaraj Polytechnic College,
Pazhavilai, Nagercoil -629 501.

...Respondents in WP(MD) No. 9978/ 2020

Prayer in WP(MD) No. 9978/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARIFIED MANDAMUS or any other writ or direction calling for the records of the 2nd respondent having Ref.No.4272/C2/2019-3 dt 18.07.2020 and the consequential proceedings of the 3rd respondent having Ref.No.NMSKP-0122-3-A1-2020 dt 29.07.2020 and quash the same as erroneous in law and consequently fix the pay band of the petitioners at Rs.37400-67000 AGP 9000 as on 01.01.2009 and continue to pay the salary of the Petitioners at Rs.37400-6700 AGP 9000

For Petitioner	..	Nr.S.Karthik
For Respondents	..	Mr. Veerakathiravan, A.A.G.
		Assisted by
		Mr.N.Satheesh Kumar, AGP
		for RR1 & 2
		R3 - N.A.

WP(MD) No. 9986/ 2020

T.Chandrasekaran ... Petitioner in WP(MD) No. 9986/ 2020

- Vs. -

1. The State of Tamil Nadu
Rep by Principal Secretary to Government, Higher Education
Department, Fort St George, Chennai - 600009

2. The Commissioner of Technical Education,
Directorate of Technical Education, Gunidy ,
Chennai - 600025

3. The Principal
Kamaraj Polytechnic College ,
Pazhavilai, Nagercoil- 629501

<https://hcservices.ecourts.gov.in/hcservices/>

... Respondents in WP(MD) No. 9986/ 2020



Prayer in WP(MD) No. 9986/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified mandamus or any other writ order or direction calling for the records of the 2nd Respondent having Ref.4272/C2/2019-2, dated 18/07/2020 and the consequential proceedings of the 3rd Respondent having Ref.No.NMSKP-0122-2-A1-2020 dated 29/07/2020 and quash the same as erroneous in law and consequently fix the pay band of the Petitioner at 15600-39100 with AGP 8000 as on 06/06/2006 and the pay band of Rs.37400-67000 Plus AGP 9000 as on 06/06/2009

For Petitioner	..	Nr.S.Karthik
For Respondents	..	Mr. Veerakathiravan, A.A.G.
		Assisted by
		Mr.N.Satheesh Kumar, AGP
		for RR1 & 2
		R3 - N.A.

WP(MD) . 10003/ 2020

R.Mohan .. Petitioner in WP(MD). 10003/ 2020
vs

1. The State of Tamil Nadu
Rep by its Principal Secretary Department of Higher Education
Fort St.George,
Chennai - 600009

2. The Director of Technical Education,,
Directorate of Technical Education, (DOTE),
53, Sardar Patel Road, Guindy,
Chennai- 600025

3. The Principal
Muthiah Polytechnic College,
Annamalai Nagar ,
Chidambaram RS, Pin - 608002

.. Respondents in WP(MD) No. 10003/ 2020

Prayer in WP(MD) No. 10003/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction in the nature of writ calling for the records relating to the impugned re-fixation proceedings passed by the 2nd Respondent vide proceedings No. 35822/C1/2018-5 dated 14/07/2020 and the impugned recovery proceedings MP.NO. 344/A1/2019 dated 06/08/2020, issued by the 3rd Respondent and quash the same as illegal and to consequentially direct the Respondents to Fix the petitioner in pay band of Rs.37400-67000 Plus AGP 9000 on 01/01/2009



and sanction all further pay progressions with applicable monetary benefits

For Petitioner
For Respondents

.. Mr.Rajpal Singh
.. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar AGP
for RR1 & 2
R3 - N.A.

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WP (MD) No. 11379/ 2020

K.Malathi ... Petitioner in WP(MD) No. 11379/ 2020

- Vs. -

1. The State of Tamil Nadu
Rep. by its Principal Secretary,
Department of Higher Education
Fort, St.George, Chennai-09

2. The Commission of Technical Education,
Directorate of Technical Education (DOTE),
53, Sardar Patel Rd, Guindy, Chennai-25

3. The Principal Govt. Polytechnic College,
Thuvakudimalai, Tiruchy-620022

4. The Principal Govt. Polytechnic College,
Nagapadi,
Tiruvannamalai- 606705

...Respondents in WP(MD) No. 11379/ 2020

Prayer in WP(MD) No. 11379/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorari calling for the records relating to the impugned proceedings No. 9511/A3/2020 dt. 03-Sep-2020 of the 2nd respondent and quash the same as illegal

For Petitioner
For Respondents

.. Mr.Rajpal Singh
.. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar AGP

WP (MD) No. 11392/ 2020

S.Vijayaraghavan ...Petitioner in WP(MD) No. 11392/ 2020

- Vs. -

1. The State of Tamil Nadu, Rep by its Principal Secretary,
Department of Higher Education, Fort St.George,
Chennai 600 009.



2. The Commissioner of Technical Education,
Directorate of Technical Education(DOTE),
53 Sardar Patel Road, Guindy,
Chennai 600 025.

3. The Principal Government Polytechnic College,
Thuvakudimalai,
Tiruchirappalli 620 022.

...Respondents in WP(MD) No. 11392/ 2020

Prayer in WP(MD) No. 11392/ 2020 :

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court To issue Writ of
Certiorari calling for the records relating to the impugned
proceedings No. 9511/A3/2020 dated 02.Sep.2020 of the 2nd Respondent

For Petitioner	.. Mr.Rajpal Singh
For Respondents	.. Mr. Veerakathiravan, A.A.G. Assisted by Mr.N.Satheesh Kumar AGP

WP(MD) No. 11418/ 2020

A.Asokarajan ...Petitioner in WP(MD) No. 11418/ 2020

- Vs. -

1. The State of Tamil Nadu,
Rep. by its Principal Secretary,
Department of Higher Education,
Fort. St. George, Chennai-09

2. The Director of Technical Education,
Directorate of Technical Education (DOTE),
53, Sardar Patel Rd, Guindy, Chennai-25

3. The Principal Government. Polytechnic College,
Thuvadudimalai, Tiruchy-22

... Respondents in WP(MD) No. 11418/ 2020

Prayer in WP(MD) No. 11418/ 2020 :

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court To issue a Writ of
Certiorari calling for the records relating to the impugned
proceedings NO. 9511/A3/2020 dt. 02-Sep-2020 of the 2nd respondent
and quash the same as illegal



For Petitioner
For Respondents

.. Mr.Rajpal Singh
.. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar AGP

WP(MD) No. 12373/ 2020

S.Muthamizhselvan ... Petitioner in WP(MD) No. 12373/ 2020

- Vs. -

1. The State of Tamil Nadu
Rep.By its Principal Secretary,
Department of Higher Education Fort, St.George, Chennai - 600009.

2. The Director of Technical Education,,
Directorate of Technical Education, (DOTE),
53, Sardar Patel Road, Guindy, Chennai - 600025.

3. The Principal,
Seshasayee Institute of Technology,
Tiruchirapalli - 620010.

... Respondents in WP(MD) No. 12373/ 2020

Prayer in WP(MD) No. 12373/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF CERTIORARIFIED MANDAMUS or any other appropriate writ or order or direction in the nature of writ calling for the records relating to the impugned proceedings No.8712/A3/2019 dt 30.01.2020 in clause 3, of the 2nd respondent and QUASH the same as illegal and to consequentially direct the respondents to FIX the petitioner in Pay Band IV in the pay scale of Rs.37400-Rs.67000 plus AGP Rs.9000 on 01.01.2009 and sanction all further pay progressions with applicable monetary benefits.

For Petitioner
For Respondents

.. Mr.Rajpal Sing
.. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar AGP
for RR1 & 2
R3 - N.A.

WP(MD) No. 16234/ 2020

M.Ramalingam ... Petitioner in WP(MD) No. 16234/ 2020

- Vs. -

1. The State of Tamil Nadu
Rep. by its Principal Secretary to Government. Higher Education



Department,
Fort St.George, Chennai-09

2. The Director of Technical Education,
Directorate of Technical Education, No.53, Sardar Patel Rd, Guindy,
Chennai-25

3. The Principal Government. Polytechnic College, Papanasam,
Thanjavur District - 614210

... Respondents in WP(MD) No. 16234/ 2020

Prayer in WP(MD) No. 16234/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-9. To issue a Writ of Certiorarified Mandamus, calling for the records of the Letter of the 2nd respondent dt. 05/09/2020 having Ref. Letter NO. 12877/P4/2020 addressed to the 3rd respondent and the consequential proceedings of the 3rd respondent dt. 17.09.2020 having proceedings No 1596/E1/2018 and the letter of the 1st respondent addressed to the petitioner dt. 28.09.2020 having Letter No. 7975/I2/2020-3 and quash the same as illegal and arbitrary and consequently direct the 3rd respondent to continue to pay the salary of the petitioner in the pay band of Rs. 37400-67000 plus AGP 9000 till his retirement on 01.06.2021.

For Petitioner	.. Mr.S.Karthik
For Respondents	.. Mr. Veerakathiravan, A.A.G.
	Assisted by
	Mr.N.Satheesh Kumar AGP

WP(MD) No. 1787/ 2021

Ramathal.M ... Petitioner in WP(MD) No. 1787/ 2021

- Vs. -

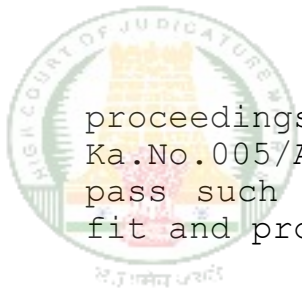
1. The State of Tamil Nadu
Rep. by Principal Secretary to Government Higher Education
Department,
Fort St.George Secretariat, Chennai- 600 009

2. The Director of Technical Education, Guindy, Chennai- 600 025

3. The Principal Arulmighu Palaniandavar Polytechnic College,
Palani- 624601 ... Respondents in WP(MD) No. 1787/ 2021

Prayer in WP(MD) No. 1787/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-7. To issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned



proceedings issued by the 3rd respondent in Se.Mu. Ka.No.005/A4/2020-1 dated 10.12.2020 and to quash the same and to pass such further or other orders that this Honble Court may deem fit and proper in the facts and circumstances of the case.

For Petitioner .. Mr.F.Deepak
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.D.Sadiq Raja, AGP
for RR1 & 2
Mr.V.R Shanmuganathan
for RR3

WP (MD) . 8054/ 2021

M.Asokan ... Petitioner in WP(MD). 8054/ 2021

Vs

1. The State of Tamilnadu Rep. by its Secretary,
Department of Higher Education,
Fort St.George, Chennai - 600 006.

2. All India Council For Technical Education,
Rep. by its Member Secretary, I.G Sports Complex, I.P. Estate,
New Delhi - 110 002.

3. The Commissioner
The Directorate of Technical Education, Guindy,
Chennai - 600 025.

4. The Secretary Arulmigu Palani Andavar Polytechnic College,
Palani - 624 601, Dindigul District

5. The Principal Arulmigu Palani Andavar Polytechnic College,
Palani - 624 601, Dindigul District

... Respondents in WP(MD) No. 8954/ 2021

Prayer in WP(MD) No. 8954/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-9. to issue a Writ of Ceriorari calling for the records relating to the impugned proceedings issued by the 5th respondent Principal in Se.Mu.Ka.NO.005/A4/2021 dated 26.02.2021 (Served through registered post on 19.04.2021) and Quash the SAmE, and pass such further or other orders as this Honble Court may be deem fit and proper in the circumstances of the case.

For Petitioner .. Mr.K.Ragatheesh Kumar for
M.s Isaac Chambers
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by



Mr.N.Satheesh Kumar, AGP
for RR1 & 3
Mr.N.Dilip Kumar for R2
Mr.V.R.Shanmuganathan
for RR 4 & 5

WP(MD) No. 8959/ 2021

L. Banumathi ... Petitioner in WP(MD) No. 8959/ 2021

- Vs. -

1. The State of Tamilnadu Rep. by its Secretary,
Department of Higher Education, Fort St.George, Chennai - 600 006.

2. All India Council For Technical Education,
Rep. by its Member Secretary, I.G Sports Complex, I.P. Estate, New
Delhi - 110 002.

3. The Commissioner The Directorate of Technical Education,
Guindy, Chennai - 600 025.

4. The Secretary Arulmigu Palani Andavar Polytechnic College,
Palani - 624 601, Dindigul District

5. The Principal Arulmigu Palani Andavar Polytechnic College,
Palani - 624 601,
Dindigul District ... Respondents in WP(MD) No. 8959/ 2021

Prayer in WP(MD) No. 8959/ 2021 :

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court S-9. to issue a Writ of
Ceriorari calling for the records relating to the impugned
proceedings issued by the 5th respondent Principal in
Se.Mu.Ka.NO.005/A4/2021 dated 26.02.2021 (Served through registered
post on 17.04.2021) and Quash the SAme, and pass such further or
other orders as this Honble Court may be deem fit and proper in the
circumstances of the case and thus render justice

For Petitioner .. Mr.K.Ragatheesh Kumar for
M.s Isaac Chambers
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP
for RR1 & 3
Mr.N.Dilip Kumar for R2
Mr.V.R.Shanmuganathan
for RR 4 & 5

WP(MD) No. 9175/ 2021

S.K. Meenakshi ... Petitioner in WP(MD) No. 9175/ 2021



- Vs. -

1. The State of Tamilnadu

Rep. by its Secretary, Department of Higher Education,
Fort. St. George, Chennai - 600 006.

2. All India Council For Technical Education,

Rep. by its Member Secretary, I.G. Sports Complex, I.P. Estate,
New Delhi - 110 002.

3. The Commissioner The Directorate of Technical Education ,
Guindy, Chennai - 600 025.

4. The Principal Cum Secretary

Arulmigu Palani Andavar Polytechnic College,
Palani - 624 601, Dindigul District.

5. The Principal Arulmigu Palani Andavar Polytechnic College,
Palani - 624 601,

Dindigul District. ... Respondents in WP(MD) No. 9175/ 2021

Prayer in WP(MD) No. 9175/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S.9 - To pleased to issue an appropriate Writ, Order or Direction in the nature of a Writ of Certiorari Calling for the records relating to the impugned proceedings issued by the 5th respondent Principal in / Se.Mu.Ka.No.005/A4/2021 dated 26.02.2021 (Served through Registered Post on 17.04.2021) and Quash the Same, and pass such further or other suitable Order/ Orders as this Honourable Court may deem fit and proper in the circumstances of the case,.

For Petitioner .. Mr.K.Ragatheesh Kumar for
M.s Isaac Chambers

For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP
for RR1 & 3
Mr.N.Dilip Kumar for R2
Mr.V.R.Shanmuganathan
for RR 4 & 5

WP(MD) No. 9177/ 2021

J. Jayanthi ... Petitioner in WP(MD) No. 9177/ 2021

- Vs. -

1. The State of Tamilnadu Rep. by its Secretary,

Department of Higher Education, Fort. St. George, Chennai - 600 006.



2. All India Council For Technical Education, Rep. by its Member Secretary,
I.G. Sports Complex, I.P. Estate, New Delhi - 110 002.

3. The Commissioner The Directorate of Technical Education ,
Guindy, Chennai - 600 025.

4. The Principal Cum Secretary Arulmigu Palani Andavar Polytechnic
College,
Palani - 624 601, Dindigul District.

5. The Principal Arulmigu Palani Andavar Polytechnic College,
Palani - 624 601,
Dindigul District. ... Respondents in WP(MD) No. 9177/ 2021
Prayer in WP(MD) No. 9177/ 2021 :

Writ Petition is filed under Article 226 of the
Constitution of India, praying this Court S.9 - To pleased to issueT
a Writ, Order or Direction in the nature of a Writ of Certiorari
calling for the reocrds relating to the impugned proceedings issued
by the 5th respondent Principal in Se.Mu.Ka.No.005/A4/2021 dated
26.02.2021 (served through Registered Post on 17.04.2021) and Quash
the same, and pass such further or other suitable order/Orders as
this Honourable Court may deem fit and proper in the circumstances
of the case.

For Petitioner .. Mr.K.Ragatheesh Kumar for
M.s Isaac Chambers
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP
for RR1 & 3
Mr.N.Dilip Kumar for R2
Mr.V.R.Shanmuganathan
for RR 4 & 5

WP(MD) No. 9180/ 2021

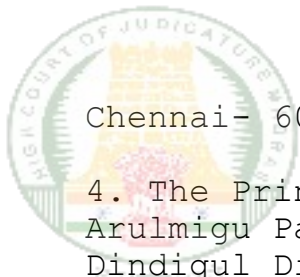
V. Krishnamurthy ... Petitioner in WP(MD) No. 9180/ 2021

- Vs. -

1. The State of Tamilnadu Rep. by its Secretary,
Department of Higher Education, Fort St.George, Chennai-600 006

2. All India Council For Technical Education,
Rep. by its Member Secretary, I.G.Sports Complex, I.P.Estate, New
Delhi-110002

3. The Commissioner
The Directorate of Technical Education, Guindy,



Chennai- 600 025

4. The Principal Cum Secretary
Arulmigu Palani Andavar Polytechnic College, Palani- 624601,
Dindigul District

5. The Principal Arulmigu Palani Andavar Polytechnic College,
Palani- 624601,
Dindigul District

... Respondents in WP(MD) No. 9180/ 2021

Prayer in WP(MD) No. 9180/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-9. To issue a Writ of Certiorari calling for the records relating to the impugned proceedings issued by the 5th respondent Principal in Se.Mu.Ka.No.005/A4/2021 dt. 26.02.2021 (Served through Registered Post on 19.04.2021) and quash the same and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of this case.

For Petitioner	..	Mr.K.Ragatheesh Kumar for M.s Isaac Chambers
For Respondents	..	Mr. Veerakathiravan, A.A.G. Assisted by Mr.N.Satheesh Kumar, AGP for RR1 & 3 Mr.N.Dilip Kumar for R2 Mr.V.R.Shanmuganathan for RR 4 & 5

WP(MD) No. 9182/ 2021

Jeyalakshmi.K ... Petitioner in WP(MD) No. 9182/ 2021

- Vs. -

1. The State of Tamilnadu Rep. by its Secretary,
Department of Higher Education, Fort St.George, Chennai-600 006

2. All India Council For Technical Education,
Rep. by its Member Secretary, I.G.Sports Complex, I.P.Estate,
New Delhi-110002

3. The Commissioner The Directorate of Technical Education,
Guindy, Chennai- 600 025

4. The Principal Cum Secretary
Arulmigu Palani Andavar Polytechnic College, Palani- 624601,
Dindigul District

<https://hcservices.courts.gov.in/hcservices/> 5. The Principal Arulmigu Palani Andavar Polytechnic College,



Palani- 624601,
Dindigul District

.. Respondents in WP(MD) No. 9182/ 2021

Prayer in WP(MD) No. 9182/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-9. To issue a Writ of Certiorari calling for the records relating to the impugned proceedings issued by the 5th respondent Principal in Se.Mu.Ka.No.005/A4/2021 dt. 26.02.2021 (Served through Registered Post on 19.04.2021) and quash the same and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice

For Petitioner .. Mr.K.Ragatheesh Kumar for
M.s Isaac Chambers

For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP
for RR1 & 3
Mr.N.Dilip Kumar for R2
Mr.V.R.Shanmuganathan
for RR 4 & 5

WP(MD) No. 9183/ 2021

V. Chandrasekaran, ... Petitioner in WP(MD) No. 9183/ 2021

- Vs. -

1. The State of Tamilnadu
Rep. by its Secretary, Department of Higher Education, Fort
St.George, Chennai-600 006

2. All India Council For Technical Education,
Rep. by its Member Secretary, I.G.Sports Complex, I.P.Estate, New
Delhi-110002

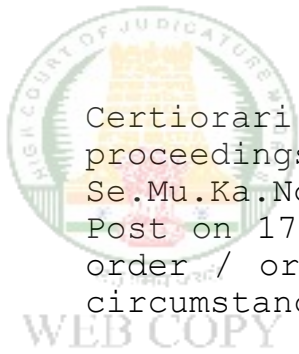
3. The Commissioner
The Directorate of Technical Education, Guindy, Chennai- 600 025

4. The Principal Cum Secretary
Arulmigu Palani Andavar Polytechnic College,
Palani- 624601, Dindigul District

5. The Principal Arulmigu Palani Andavar Polytechnic College,
Palani- 624601,
Dindigul District ... Respondents in WP(MD) No. 9183/ 2021

Prayer in WP(MD) No. 9183/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-9. To issue a Writ of



Certiorari calling for the records relating to the impugned proceedings issued by the 5th respondent Principal in Se.Mu.Ka.No.005/A4/2021 dt. 26.02.2021 (Served through Registered Post on 17.04.2021) and quash the same and pass such other suitable order / orders as this Honble Court may deem fit and proper in the circumstances of this case.

For Petitioner .. Mr.K.Ragatheesh Kumar for
M.s Isaac Chambers
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP
for RR1 & 3
Mr.N.Dilip Kumar for R2
Mr.V.R.Shanmuganathan
for RR 4 & 5

WP (MD) No. 9184/ 2021

Suthanthiradevi.K.V ... Petitioner in WP(MD) No. 9184/ 2021

- Vs. -

1. The State of Tamilnadu

Rep. by its Secretary, Department of Higher Education,
Fort St.George, Chennai-600 006

2. All India Council For Technical Education,

Rep. by its Member Secretary, I.G.Sports Complex,
I.P.Estate, New Delhi-110002

3. The Commissioner The Directorate of Technical Education,
Guindy, Chennai- 600 025

4. The Principal Cum Secretary

Arulmigu Palani Andavar Polytechnic College, Palani- 624601,
Dindigul District

5. The Principal Arulmigu Palani Andavar Polytechnic College,
Palani- 624601, Dindigul District

... Respondents in WP(MD) No. 9184/ 2021

Prayer in WP(MD) No. 9184/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-9. To issue a Writ of Certiorari calling for the records relating to the impugned proceedings issued by the 5th respondent Principal in Se.Mu.Ka.No.005/A4/2021 dt. 26.02.2021 (Served through Registered Post on 17.04.2021) and quash the same and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of this case.



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W.P(MD) No.1661 of 2019 etc. batch

For Petitioner .. Mr.K.Ragatheesh Kumar for
M.s Isaac Chambers
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP
for RR1 & 3
Mr.N.Dilip Kumar for R2
Mr.V.R.Shanmuganathan
for RR 4 & 5

WP (MD) No. 9185/ 2021

Karthikeyan.T.T ... Petitioner in WP(MD) No. 9185/ 2021

- Vs. -

1. The State of Tamilnadu
Rep. by its Secretary,
Department of Higher Education, Fort St.George,
Chennai-600 006
2. All India Council For Technical Education,
Rep. by its Member Secretary, I.G.Sports Complex,
I.P.Estate, New Delhi-110002
3. The Commissioner, The Directorate of Technical Education, Guindy,
Chennai- 600 025
4. The Principal Cum Secretary
Arulmigu Palani Andavar Polytechnic College, Palani- 624601,
Dindigul District
5. The Principal, Arulmigu Palani Andavar Polytechnic College,
Palani- 624601, Dindigul District
... Respondents in WP(MD) No. 9185/ 2021

Prayer in WP(MD) No. 9185/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-9. To issue a Writ of Certiorari calling for the records relating to the impugned proceedings issued by the 5th respondent Principal in Se.Mu.Ka.No.005/A4/2021 dt. 26.02.2021 (Served through Registered Post on 17.04.2021) and quash the same and pass such further or other suitable order / orders as this Honble Court may deem fit and proper in the circumstances of this case.

For Petitioner .. Mr.K.Ragatheesh Kumar for
M.s Isaac Chambers
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.N.Satheesh Kumar, AGP
for RR1 & 3

<https://hcservices.ecourts.gov.in/hcservices/>



Mr.N.Dilip Kumar for R2
Mr.V.R.Shanmuganathan
for RR 4 & 5

WP (MD) No. 9186/ 2021

R.Rajagopala Subramanian. ... Petitioner in WP(MD) No. 9186/ 2021

- Vs. -

1. The State of Tamilnadu Rep. by its Secretary,
Department of Higher Education,
Fort St.George, Chennai-600 006

2. All India Council For Technical Education,
Rep. by its Member Secretary, I.G.Sports Complex,
I.P.Estate, New Delhi-110002

3. The Commissioner, The Directorate of Technical Education,
Guindy, Chennai- 600 025

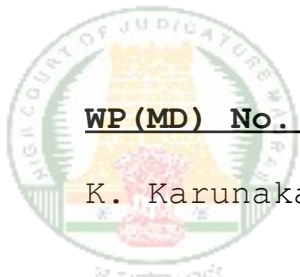
4. The Principal Cum Secretary Arulmigu Palani Andavar
Polytechnic College,
Palani- 624601, Dindigul District

5. The Principal
Arulmigu Palani Andavar Polytechnic College, Palani- 624601,
Dindigul District ...Respondents in WP(MD) No. 9186/ 2021

Prayer in WP(MD) No. 9186/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-9. To issue a Writ of Certiorari calling for the records relating to the impugned proceedings issued by the 5th respondent Principal in Se.Mu.Ka.No.005/A4/2021 dt. 26.02.2021 (Served through Registered Post on 21.04.2021) and quash the same and pass such further or other suitable order / orders as this Honble Court may deem fit and proper in the circumstances of this case.

For Petitioner	..	Mr.K.Ragatheesh Kumar for M.s Isaac Chambers
For Respondents	..	Mr. Veerakathiravan, A.A.G. Assisted by Mr.N.Satheesh Kumar, AGP for RR1 & 3 Mr.N.Dilip Kumar for R2 Mr.V.R.Shanmuganathan for RR 4 & 5



WP (MD) No. 9199/ 2021

K. Karunakaran ... Petitioner in WP(MD) No. 9199/ 2021

- Vs. -

1. The State of Tamilnadu Rep. by its Secretary, Department of Higher Education,
Fort St.George, Chennai-600 006

2. All India Council For Technical Education,
Rep. by its Member Secretary, I.G.Sports Complex,
I.P.Estate, New Delhi-110002

3. The Commissioner The Directorate of Technical Education,
Guindy, Chennai- 600 025

4. The Principal Cum Secretary
Arulmigu Palani Andavar Polytechnic College,
Palani- 624601, Dindigul District

5. The Principal Arulmigu Palani Andavar Polytechnic College,
Palani- 624601
Dindigul District ...Respondents in WP(MD) No. 9199/ 2021

Prayer in WP (MD) No. 9199/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-9. To issue a Writ of Certiorari calling for the records relating to the impugned proceedings issued by the 5th respondent Principal in Se.Mu.Ka.No.005/A4/2021 dt. 26.02.2021 (Served through Registered Post on 17.04.2021) and quash the same and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of this case.

For Petitioner	..	Mr.K.Ragatheesh Kumar for M.s Isaac Chambers
For Respondents	..	Mr. Veerakathiravan, A.A.G. Assisted by Mr.N.Satheesh Kumar, AGP for RR1 & 3 Mr.N.Dilip Kumar for R2 Mr.V.R.Shanmuganathan for RR 4 & 5

WP (MD) No. 9200/ 2021

N.Chandramohan ... Petitioner in WP(MD) No. 9200/ 2021

- Vs. -



1. The State of Tamilnadu Rep. by its Secretary Department of Higher Education,
Fort St.George, Chennai-600 006

2. All India Council For Technical Education,
Rep. by its Member Secretary, I.G.Sports Complex, I.P.Estate,
New Delhi-110002

3. The Commissioner The Directorate of Technical Education,
Guindy, Chennai- 600 025

4. The Principal Cum Secretary Arulmigu Palani Andavar Polytechnic College,
Palani- 624601, Dindigul District

5. The Principal Arulmigu Palani Andavar Polytechnic College,
Palani- 624601, Dindigul District

... Respondents in WP(MD) No. 9200/ 2021

Prayer in WP(MD) No. 9200/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-9. To issue a Writ of Certiorari calling for the records relating to the impugned proceedings issued by the 5th respondent Principal in Se.Mu.Ka.No.005/A4/2021 dt. 26.02.2021 (Served through Registered Post on 19.04.2021) and quash the same and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice

For Petitioner	..	Mr.K.Ragatheesh Kumar for M.s Isaac Chambers
For Respondents	..	Mr. Veerakathiravan, A.A.G. Assisted by Mr.N.Satheesh Kumar, AGP for RR1 & 3 Mr.N.Dilip Kumar for R2 Mr.V.R.Shanmuganathan for RR 4 & 5

WP(MD) No. 9265/ 2021

G. Maragatham ... Petitioner in WP(MD) No. 9265/ 2021

- Vs. -

1. The State of Tamil Nadu
Rep by its Principal Secretary to Government Higher Education Department,
Secretariat, Fort St. George, Chennai- 600 009.



2. The Directorm Directorate of Technical Education, Guindy,
Chennai- 600 025

3. The Correspondent
Arulmigu Palaniandavar Polytechnic College, Palani- 624 601

4. The Principal Arulmigu Palaniandavar Polytechnic College,
Palani- 624 601

... Respondents in WP(MD) No. 9265/ 2021

Prayer in WP(MD) No. 9265/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S.9 To issue a writ order or direction more particularly a writ in the nature of Writ of Certiorari to call for the records relating to the impugned proceedings issued by the 4th respondent in Che.Mu.Ka.No.005/A4/2020 dt 26.02.2021 served on the petitioner on 17.04.2021 and to quash the same and to pass such further or other orders as this Honble Court may deem fit and proper to pass in the circumstances of the case.

For Petitioner	..	Mr.F.Deepak
For Respondents	..	Mr. Veerakathiravan, A.A.G.
		Assisted by
		Mr.D.Sadiq Raja, AGP
		for RR1 & 2
		Mr.V.R.Shanmuganathan
		for RR3 & 4

WP(MD) No. 16686/ 2021

T. Hariharasubramanian ...Petitioner in WP(MD) No. 16686/ 2021

- Vs. -

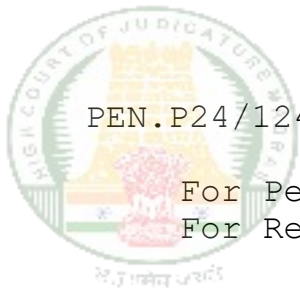
1. The Commissioner/Director
Directorate of Technical Education, Guindy, Chennai - 600025.

2. The Principal Annamalai Polytechnic College,
Chettinadu, Sivagangai District.

3. The Accountant General
No.361, Anna Salai, Teynampet,
Chennai - 600018. ...Respondents in WP(MD) No. 16686/ 2021

Prayer in WP(MD) No. 16686/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-12. To issue a writ of certiorari calling for the records pertaining to the order passed by the 3rd respondent in his proceedings in AG (A and E) /



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PEN.P24/12422843/1/R2404100 dated 07.07.2021 and quash the same.

For Petitioner .. Nr.V.Panneer Selvam
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by
Mr.A.K.Manikkam, Spl G.P.
For RR1
Mrs. A. Aishwarya Sandaleena
for R2
Mrs. S. Mahalakshmi for R3

WP(MD) No. 1711/ 2022

D. Jeyendran ... Petitioner in WP(MD) No. 1711/ 2022

- Vs. -

1. The State of Tamil Nadum Rep. by its Secretary,
Department of Technical Education, Fort St.George, Chennai 600 006.

2. All India Council For Technical Education,
Rep. by its Member Secretary,
I.G.Sports Complex, I.P.Estate, New Delhi 110 002.

3. The Commissioner, The Directorate of Technical Education, Guindy,
Chennai- 600 025.

4. The Assistant Director of Internal Audit,
Madurai Mukkam, Sivagangai- 630 561. Sivagangai District.

5. The Principal, Annamalai Polytechnic College,
Chettinad- 630 102. Sivagangai District.

6. The Treasury Officer District Treasury Office, Sivagangai- 630
561.
Sivagangai District.

... Respondents in WP(MD) No. 1711/ 2022

Prayer in WP(MD) No. 1711/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-12. To issue a Writ of Certiorari calling for the records relating to the impugned proceedings issued by the 6th respondent Treasury officer in Na.Ka.No. 6525/2021/P1 dated 13.10.2021 and quash the same and pass such further or other suitable order/orders as this Honble Court may deem fit and proper in the circumstances of the case.

For Petitioner .. Mr.H.Thayumansamy
For Respondents .. Mr. Veerakathiravan, A.A.G.
Assisted by



Mr.D.Sadiq Raja, AGP
for RR1, 3, 4 & 6
Mr.N.Dilip Kumar for R2
Mrs. A.Aishwarya Sandaleena
for R5

WP(MD) No. 1716/ 2022

R. Parthasarathy ...Petitioner in WP(MD) No. 1716/ 2022

- Vs. -

1. The State of Tamil Nadu
Rep. by its Secretary, Department of Technical Education, Fort St.
George, Chennai 6.
2. All India Council For Technical Education,
Rep. by its Member Secretary, I.G. Sports Complex,
I.P. Estate, New Delhi 110 002.
3. The Commissioner The Directorate of Technical Education,
Guindy, Chennai 25.
4. Assistant Director of Internal Audit,
Madurai Mukkam, Sivagangai 630561, Sivagangai District
5. The Principal Annamalai Polytechnic College,
Chettinad 630 102, Sivagangai District
6. The Assistant Treasury Officer
Sub - Treasury Office, Karaikudi 630 002,
Sivagangai District ...Respondents in WP(MD) No. 1716/ 2022

Prayer in WP(MD) No. 1716/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S - 12. To issue a Writ of Certiorari, calling for the records relating to the impugned proceedings issued by the 6th respondent Assistant Treasury Officer in Ka.No.662/2021/A2 dated 04.10.2021 and quash the same and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case.

For Petitioner	.. Mr.H.Thayumansamy
For Respondents	.. Mr. Veerakathiravan, A.A.G. Assisted by Mr.D.Sadiq Raja, AGP for RR1, 3, 4 & 6 Mr.N.Dilip Kumar for R2 Mrs. A.Aishwarya Sandaleena for R5



C O M M O N O R D E R

Since the issues involved in all the cases are identical, they have been clubbed together, heard together and are being disposed of by this common order.

2. All the above writ petitions have been categorized as follows:

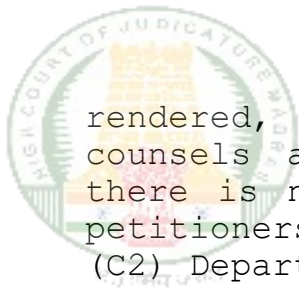
BATCH - I	W.P.(MD) No.25975 of 2019
	W.P.(MD) Nos.4601, 4602, 7070, 7918, 11392, 12373 & 16234 of 2020
	W.P.(MD) Nos.8954, 8959, 9175, 9177, 9180, 9182, 9183, 9184, 9185, 9186, 9199, 9200, 9265 & 16686 of 2021
	W.P.(MD) Nos.1711 & 1716 of 2022
BATCH - II	W.P.(MD) Nos.24375 & 24761 of 2019
	W.P.(MD) Nos.6323, 6359, 6843, 6923, 7915, 8029, 8902, 9413, 9823, 9841, 9977, 9978, 9986, 10003, 11379, 11418, of 2020
	W.P.(MD) No.1787 of 2021

3. All these writ petitions have been filed questioning the recovery orders passed pursuant to the orders of the Commissioner of Technical Education.

4. The petitioners are serving or retired Lecturers / Professors / Heads of Departments in the Government Polytechnic Colleges / Government Aided Private Polytechnic Colleges and they have served as Instructors, Lecturers, Senior Lecturers, Professors, Heads of Departments and Principals.

5. The issue involved in the case on hand is whether the pay fixation and arrears of pay claimed by the petitioners are in consonance with the Regulations issued by the All India Council for Technical Education (for brevity "AICTE"), which were implemented by the Government through Government Orders.

6. The respective learned counsels appearing for the petitioners mainly contended that with effect from 01.01.2006, the date on which the Pay Commission recommendations were implemented, the Government Order issued in G.O.(Ms) No.111, Higher Education (C2) Department, dated 25.05.2010, was implemented. Accordingly, the pay was revised with effect from 01.01.2006 to all the categories of teaching staff working in the Government Polytechnic Colleges and Government Aided Private Polytechnic Colleges. As per the said Government Order, Career Advancement Scheme has been provided and based on the qualifications and years of service



rendered, Academic Grade Pay was fixed. The respective learned counsels appearing for the petitioners are of the opinion that there is no infirmity in respect of pay fixation made to all the petitioners in accordance with G.O.(Ms) No.111, Higher Education (C2) Department dated 25.05.2010.

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7. Subsequently, All India Council for Technical Education (Career Advancement Schemes for Teachers and other Academic Staff in Technical Institutions) (Diploma) Regulations, 2012 (in short "2012 Regulations") were issued. The said 2012 Regulations came into effect from the year 2012 and were implemented by the Government of Tamil Nadu by issuing G.O.(Ms) No.58, Higher Education (C2) Department, dated 21.03.2018. The contentions of the petitioners are that the Career Advancement Scheme with reference to G.O.(Ms) No.111, dated 25.05.2010, was fixed in accordance with the Government Order and they were receiving the pay accordingly. As far as 2012 Regulations are concerned, as per the eligibility, the pay was revised to the petitioners with reference to the qualifications stipulated in 2012 Regulations and therefore, the recovery is untenable and liable to be set aside.

8. It is further contended that the petitioners, who come under the category of Batch-I writ petitions, were not provided with an opportunity to appear before the Screening Committee constituted under G.O.(Ms) No.58, Higher Education (C2) Department, dated 21.03.2018. Denial of opportunity is in violation of the principles of natural justice. In the event of affording due opportunity, the petitioners would be in a position to place their service details along with the Government Orders and convince the Committee for the purpose of establishing the correctness of the pay fixed in accordance with G.O.(Ms) No.111, Higher Education (C2) Department, dated 25.05.2010.

9. The respective learned counsels appearing for the petitioners, with reference to certain individual cases, raised grounds by stating that the petitioners are fully qualified for Career Advancement Scheme. Their qualifications are not properly verified. Therefore, the impugned orders of recovery are not in consonance with the Government Orders as well as the Career Advancement Scheme. Some of the petitioners have raised a ground that their qualifications were ascertained by the Authorities concerned and pay fixation was done by the Management of the Polytechnic Colleges. Once the qualifications were verified in consonance with the Government Order, then there is no question of revising the same now after retirement in some cases and for in-service teaching staff in other cases.

10. While countering the arguments advanced on behalf of the petitioners, the learned Additional Advocate General pointed out that errors were crept-in at various stages and the respective



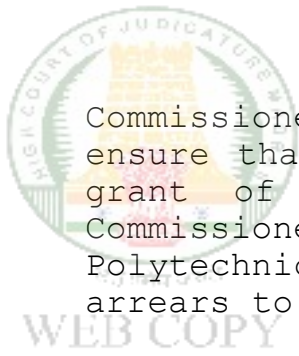
Polytechnic Management / Principals are the Pay Drawing Officers, who in turn without getting approval from the Commissioner of Technical Education, fixed pay at their whims and fancies by erroneously interpreting the Government Order as well as 2012 Regulations issued by AICTE.

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11. The learned Additional Advocate General drew the attention of this Court with reference to the Circular issued by the Commissioner of Technical Education to all the Principals of the Government Aided Private Polytechnic Colleges vide Letter dated 20.02.2012. In the said Circular, the Commissioner of Technical Education has specifically referred G.O.(Ms) No.111, Higher Education (C2) Department, dated 25.05.2010. With reference to G.O. (Ms) No.111, dated 25.05.2010, the said Circular was issued stating that while granting upgradation and fixation of pay, proposals along with all the particulars must be submitted to the Commissioner of Technical Education enabling him to grant approval for the purpose of revision of pay. In respect of Government Polytechnic Colleges are concerned, the Commissioner of Technical Education issued a separate Circular, dated 05.03.2012. Thus, with reference to fixation of pay and Academic Grade Pay and grant of Career Advancement Scheme, proposals are to be submitted in a prescribed format along with all details to the Commissioner of Technical Education and the said proposals are to be approved by the Commissioner of Technical Education, then alone the College concerned could submit a bill for drawal of pay.

12. The learned Additional Advocate General reiterated that the said procedure had not been followed by the Pay Drawing Officers of the respective Polytechnic Colleges. Contrarily, they have adopted their own interpretation and granted pay fixation and Career Advancement Scheme in excess, which resulted in huge financial loss to the State Exchequer and this was traced out by the Authorities Competent and thereafter, actions were taken to set right the issue and recover the excess amount paid to the teaching staff of the respective Polytechnic Colleges.

13. The learned Additional Advocate General further pointed out that the Government Order in G.O.(Ms) No.58, Higher Education (C2) Department, dated 21.03.2018, was issued in implementation of 2012 Regulations to the Government and Government Aided Private Polytechnic Colleges. Pursuant to the said Government Order, Screening-cum-Evaluation Committee and Selection Committee were constituted. The constitution of the Committee is also done in the Government Order. Therefore, the Committee was constituted to rectify the anomalies, errors crept-in in respect of erroneous fixation of pay and grant of arrears under the Career Advancement Scheme to the teaching staff. The endeavour of the Committee is to ensure that the Government Orders issued in consonance with AICTE Regulations are properly implemented by the respective Polytechnic Colleges across the State of Tamil Nadu. In this context, the



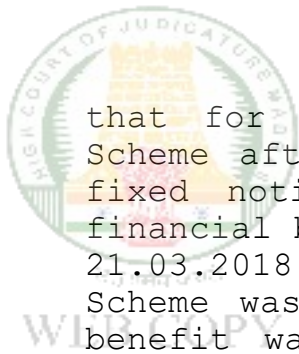
Commissioner of Technical Education has also issued Circulars to ensure that proposals must be submitted to him for the purpose of grant of approval. However, these Circulars issued by the Commissioner of Technical Education were not followed by the Polytechnic Colleges before effecting refixation of pay and grant of arrears to its teaching staff.

14. The learned Additional Advocate General relied on the constitution of the Screening-cum-Evaluation Committee, wherein the Commissioner of Technical Education / Nominee of Commissioner of Technical Education is shown as the Chairperson and the Principal of the College concerned, Head of the concerned Department from the Polytechnic College and two subject experts not connected with the College and in case of Aided Polytechnic Colleges notified / declared as Minority Educational Institutions, one subject expert not connected with the State to be nominated by the Chairperson of the Governing Body of the College out of the panel of five names, preferably from minority communities, recommended by the State Government from the list of subject experts approved by the relevant statutory body of the College are also made as members. An academician representing SC / ST / OBC / Minority / Women / Differently-abled categories are also included. Therefore, the Committee was constituted in a fair and reasonable manner so as to avoid any bias in the matter of considering the issues and taking decision.

15. Relying on the constitution of the Screening-cum-Evaluation Committee, the learned Additional Advocate General submitted that the Committee has gone into the issues regarding Career Advancement Scheme, scrutinized the same and found that there were large scale irregularities in the matter of pay fixation and payment of arrears made to the teaching staff.

16. The learned Additional Advocate General further contended that the implementation of G.O.(Ms) No.111, dated 25.05.2010, is not in dispute. As per the said Government Order, the Career Advancement Scheme was given as prescribed in the said Government Order. However, for further Career Advancement Scheme under 2012 Regulations, G.O.(Ms) No.58, dated 21.03.2018, is to be followed and prior approval must be obtained from the Commissioner. The said position is clarified in the G.O.(Ms) No.58, dated 21.03.2018 itself. The said Government Order further states that in order to achieve the norms of Career Advancement Scheme, after 08.11.2012, the qualifications contemplated under 2012 Regulations must be followed. Therefore, the Career Advancement Scheme implemented as per G.O.(Ms) No.111, dated 25.05.2010 is not in dispute and further revision based on 2012 Regulations with retrospective effect was found to be irregular and not in consonance with the Government Order in G.O.(Ms) No.58, dated 21.03.2018.

17. The learned Additional Advocate General further submits



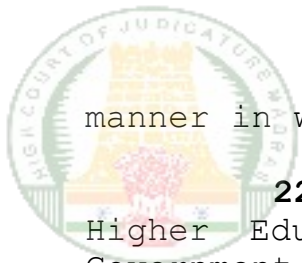
that for the faculty achieving the norms of Career Advancement Scheme after 08.11.2012, the academic grade progressions shall be fixed notionally on the date of attaining eligibility and the financial benefit from the date of issue of G.O.(Ms) No.58 i.e. from 21.03.2018. However, in the present case, the Career Advancement Scheme was implemented with retrospective effect and the monetary benefit was also granted with retrospective effect, which is in total violation of the Government Order and caused huge loss to the State Exchequer and therefore, the respondents are bound to initiate action for recovery of payment already made.

18. Heard the learned counsel on either side and carefully perused the materials available on record.

19. On hearing the learned counsel on either side, this Court has to consider the scope of the Career Advancement Scheme with reference to the Government Orders, more specifically, with effect from 01.01.2006.

20. The Scheme of Career Advancement is a Scheme, which was introduced for encouraging the teaching staff to acquire more educational qualifications for the benefit of the students studying in the Polytechnic Colleges and to impart better education. The said Scheme is not part of the service conditions. The Career Advancement Scheme is a special Scheme introduced pursuant to the recommendations of the University Grants Commission and AICTE for the purpose of encouraging the teaching staff and such schemes are not implemented for non-teaching staff. Thus, the Scheme is to be implemented strictly in consonance with the terms and conditions. The Scheme being a concession extended to the teaching staff and to encourage them to possess more educational qualifications for the purpose of imparting better education. It cannot be allowed to be implemented in excess, undoubtedly, which would create unnecessary financial loss to the State Exchequer.

21. Contextually, G.O.(Ms) No.111, Higher Education (C2) Department, dated 25.05.2010, would be relevant as far as the present writ petitions are concerned. The said Government Order states about the Revised Pay Scales, 2010 and Revision of Scale of Pay and Allowances etc., to the teachers and equivalent cadres in Government and Government Aided Polytechnic Colleges governed by AICTE. The said Government Order also states about pay fixation formula. Accordingly, the pay fixation adopted for the teachers governed by the University Grants Commission scales of pay shall be adopted for the teachers governed by the AICTE Scales of Pay. The detailed fitment tables for various existing scales of pay based on the formula are given in Appendix-III. The implementation of the said Government Order is also not disputed by the respondents. However, the erroneous fixation of pay alone is sought to be rectified with reference to the date of implementation and the



manner in which it is implemented.

22. Let us now consider the spirit of G.O.(Ms) No.58, Higher Education (C2) Department, dated 21.03.2018. The said Government Order was issued pursuant to the implementation of 2012 Regulations to the Government and Government Aided Private Polytechnic Colleges. The said Government Order refers G.O.(Ms) No.111, Higher Education (C2) Department, dated 25.05.2010. Therefore, G.O.(Ms) No.58, dated 21.03.2018 is in continuation of G.O.(Ms) No.111, dated 25.05.2010 and in lieu of 2012 Regulations issued by AICTE. Thus, the pay fixation correctly made in accordance with G.O.(Ms) No.111, dated 25.05.2010, need not be disturbed. However, while revising the scale of pay under 2012 Regulations with effect from the year 2018, the Government has to ensure that the qualifications contemplated under 2012 Regulations are scrupulously followed and accordingly, Career Advancement Scheme is implemented. In the event of any erroneous implementation of the Scheme, Authorities Competent are empowered to initiate action.

23. In the present case, G.O.(Ms) No.58, dated 21.03.2018, unambiguously provides constitution of Screening-cum-Evaluation Committee. The said Committee was constituted for the purpose of Career Advancement Scheme implemented by all the Polytechnic Colleges across the State of Tamil Nadu, while the Committee consists the members, who all are from the respective Colleges also. Therefore, there is no need to doubt about the constitution of the Committee and the Committee constituted was for the purpose of screening the Career Advancement Scheme granted to the teaching staff of the Polytechnic Colleges. G.O.(Ms) No.58 speaks about G.O.(Ms) No.111 also. A specific clarification is issued in Paragraph No.3(e) and (f), which is extracted hereunder:

"(e) The faculty who have already achieved the Career Advancement Scheme norms as specified in G.O.(Ms) No.111, Higher Education (C2) Department, dated 25.5.2010, before the issue of AICTE, Regulations on 8.11.2012, be given the Academic Grade Pay progression and monetary benefits from the date of attaining eligibility, since that Government Order has already been implemented and given effect to.

(f) G.O.(Ms) No.111, Higher Education (C2) Department, dated 25.5.2010, also states that norms as per AICTE Regulations shall become applicable for Career Advancement Scheme.

Since, AICTE Regulations were issued on 8.11.2012, from this date onwards, faculty should fulfill Training and Publications norms as specified in the said Regulations."

24. As per the aforesaid Government Order, the faculty, who



have already achieved the Career Advancement Scheme norms as specified in G.O.(Ms) No.111, Higher Education (C2) Department, dated 25.05.2010, before the issue of AICTE Regulations on 08.11.2012, be given the Academic Grade Pay Progression and monetary benefits from the date of attaining eligibility. The said Government Order was admittedly implemented and given effect to by the Authorities Competent. However, a dispute arose regarding implementation of 2012 Regulations with effect from 08.11.2012. While implementing G.O.(Ms) No.58, dated 21.03.2018, the effect was given erroneously by the Polytechnic Colleges and the monetary benefits were claimed retrospectively for which the teaching staff are not entitled and therefore, the Authorities Competent initiated actions for recovery of excess amount.

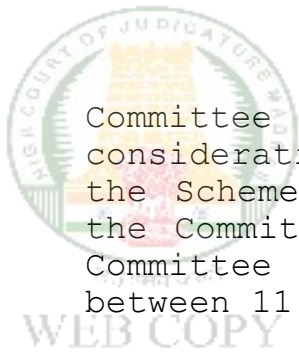
25. Paragraph No.3(h) of G.O.(Ms) No.58, dated 21.03.2018, stipulates unambiguously as follows:

"(h) For the faculty achieving the Career Advancement Scheme norms after 8.11.2012 (without API till 7.11.2015 and with API from 8.11.2015), the Academic Grade Pay progression shall be fixed notionally on the date of attaining eligibility and with financial benefits from the date of issue of Government Order."

26. Therefore, the Career Advancement Scheme norms after 08.11.2012, the Academic Grade Pay progression shall be fixed notionally on the date of attaining eligibility as per 2012 Regulations and financial benefits must be given with effect from the date of issue of the Government Order i.e.21.03.2018. However, actual benefits were granted by the Polytechnic Colleges, more so, by the respective Principals of the Colleges, without getting prior approval from the Commissioner of Technical Education, with retrospective effect and by implementing G.O.(Ms) No.58, dated 21.03.2018, by adopting erroneous interpretation. This caused huge financial loss to the State Exchequer.

27. Now, the question arises an opportunity was provided to the petitioners or not.

28. The learned Additional Advocate General made a submission that in respect of revision of pay on Career Advancement Scheme, if an opportunity was not given or if those candidates had not already appeared before the Screening-cum-Evaluation Committee, then an opportunity will be given to them for making their appearance from 21.03.2022 to 23.03.2022 from 11.00 a.m. to 05.00 p.m. Therefore, all the petitioners, who had not appeared on the earlier occasion before the Screening-cum-Evaluation Committee, are at liberty to send their service particulars, objections and documents establishing their eligibility through online to the Commissioner of Technical Education, who is the Chairman of the



Committee and in turn will place the same before the Committee for consideration and accordingly, take a decision in consonance with the Scheme. Even if the petitioners have chosen to appear before the Committee in person, they are at liberty to appear before the Committee for representing their case from 21.03.2022 to 23.03.2022 between 11.00 a.m. and 05.00 p.m.

29. The endeavour of the Committee is to ensure whether the respective teaching staff fulfills the norms / eligibility / qualifications prescribed under the Regulations, which were implemented by the Government of Tamil Nadu vide G.O.(Ms) No.58, dated 21.03.2018. In the event of fulfilling the norms, the pay fixation on the Career Advancement Scheme shall be given notionally with effect from the date on which the staff attaining the eligibility and the financial benefits shall be given from the date of issue of G.O.(Ms) No.58 i.e.21.03.2018. However, if the Screening Committee found that fixations have been made erroneously and payments have been made in excess, then such excess amount is to be recovered from the teaching staff concerned.

30. This Court is of the considered opinion that unjust enrichment of public money is impermissible. Tax payers' money is being paid by way of salary to the teaching staff of Polytechnic Colleges. They are entitled to get pay as per the Scheme and as per the norms of AICTE and Government Orders in force. Erroneous fixation and excess payment would result in unjust enrichment and hence, excess payment is to be recovered and to be deposited in the Government Treasury by all concerned. Certain exceptions have been carved out by the Honourable Supreme Court in cases, where there is an extreme hardship caused. However, in all other cases, any excess payment is made to the public servant, excess payment must be recovered.

31. In **Chandi Prasad Uniyal and others vs. State of Uttarkhand and others**, reported in (2012) 8 SCC 417, the Honourable Supreme Court has observed as follows:

"14. We are concerned with the excess payment of public money which is often described as "tax payers money" which belongs neither to the officers who have effected over-payment nor that of the recipients. We fail to see why the concept of fraud or misrepresentation is being brought in such situations. Question to be asked is whether excess money has been paid or not may be due to a bona fide mistake. Possibly, effecting excess payment of public money by Government officers, may be due to various reasons like negligence, carelessness, collusion, favouritism etc. because money in such situation does not belong to the payer or the payee. Situations may also arise



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where both the payer and the payee are at fault, then the mistake is mutual. Payments are being effected in many situations without any authority of law and payments have been received by the recipients also without any authority of law. Any amount paid/received without authority of law can always be recovered barring few exceptions of extreme hardships but not as a matter of right, in such situations law implies an obligation on the payee to repay the money, otherwise it would amount to unjust enrichment.

15. We are, therefore, of the considered view that except few instances pointed out in Syed Abdul Qadir case (supra) and in Col. B.J. Akkara (retd.) case (supra), the excess payment made due to wrong/irregular pay fixation can always be recovered.

16. The appellants in the appeal will not fall in any of these exceptional categories, over and above, there was a stipulation in the fixation order that in the condition of irregular/wrong pay fixation, the institution in which the appellants were working would be responsible for recovery of the amount received in excess from the salary/pension. In such circumstances, we find no reason to interfere with the judgment of the High Court. However, we order the excess payment made be recovered from the appellant's salary in twelve equal monthly installments starting from October 2012."

32. The above principles have been reiterated by the Apex Court in the subsequent Judgments also. Therefore, any excess payment must be recovered by the Competent Authorities and there should not be any scope for unjust enrichment.

33. As far as the case on hand is concerned. The same would not fall under the exempted category from recovery as the petitioners are / were working as Professors, Lecturers, Heads of Departments, Principals etc., which all are falling under Group-A Category. More over, even they are receiving decent amount of salary / pension. Under those circumstances, if any excess payment is made, it is to be recovered and if at all there is any personal grievance raised, it is to be recovered by way of equal installments.

34. As per 2012 Regulations (Notification dated 08.11.2012, the minimum academic performance and service requirements for
<https://hcservices.ecourts.gov.in/hcservices/>



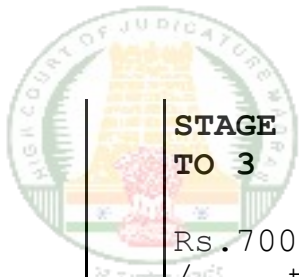
promotion under Career Advancement Scheme applicable for the teachers of Polytechnic Colleges (Engineering) are as follows:

1	2	3	I G.O.Ms.No.111 Hr.Edn.dated 25.05.2010	II AICTE Regulation- 2012 without Academic Performance Indicator	III AICTE Regulation- 2012 with Academic Performance Indicator
S. No	Promoti on of Teacher s through CAS	Service Requirem ents	01.01.2006 to 07.11.2012	08.11.2012 to 07.11.2015	08.11.2015 to till date
1	STAGE 1 Rs.5400 /- to Rs.6000 /-	1) Lecturer complete d 6 years with B.E., only (without M.E.,/Ph .D.,)	Two AICTE/State Government approved refresher Programs of not less than two weeks each duration and two one week each TEQIP sponsored programs Two courses/program s of one week duration each approved of conducted by AICTE/UGC/MHRD/ DST/Central/Sta te Govt. Universities/In stitutes may also by considered as alternative to TEQIP programs.	Two AICTE/State Government approved refresher Programs of not less than two weeks each duration and two one week each TEQIP sponsored programs Two courses/progra ms of one week duration each approved of conducted by AICTE/UGC/MHRD /DST/ Central/State Govt. Universities/I nstitutes may also be considered as alternative to TEQIP programs.	Two AICTE/State Government approved refresher Programs of not less than two weeks each duration and two one week each TEQIP sponsored programs Two courses/progra ms of one week duration each approved of conducted by AICTE/UGC/MHRD /DST/Central/S tate Govt. Universities/I nstitutes may also by considered as alternative to TEQIP programs.

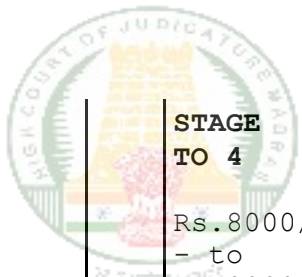


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2	STAGE 1 to 2 Rs.6000/- to Rs.7000/-	1) Lecturer complete d 4 years with Ph.D., in the relevant discipli ne 2) Lecturer complete d 5 years with M.E., in the relevant discipli ne. 3) Lecturer with B.E., (6+3=9 years)	Two AICTE/State Government approved refresher Programs of not less than two weeks each duration and two one week each TEQIP sponsored programs Two courses/program s of one week duration each approved of conducted by AICTE/UGC/MHRD/ DST/Central/Sta te Govt. Universities/In stitutes may also be considered as alternative to TEQIP programs.	1) One orientation and one Refresher/Rese arch Methodology Course of 2/3 weeks duration approved or conducted by AICTE/Central Govt./State Govt./TEQIP/CI ICP/ISTE/NITTR /IIT/DTE/SBTE/ University,etc . 2) Screening-cum-Verification process for recommending promotion.	1) Minimum API Scores using PBAS scoring proformance developed by the AICTE as per the norms provided in Table 2 2) One orientation and one Refresher/Rese arch Methodology Course of 2/3 weeks duration approved or conducted by AICTE/Central Govt./State Govt./TEQIP/CI ICP/ISTE/NITTR /IIT/DTE/SBTE/ University, etc. 3) Screening-cum-Verification process for recommending promotion.
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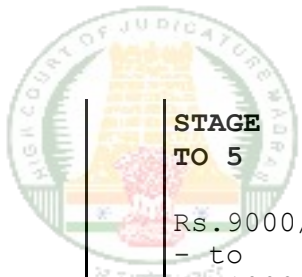


3	STAGE 2 TO 3 Rs.7000/- to Rs.8000/-	Lecturer with complete d services of 5 years in stage 2 Lecturer with complete d services of 4 years in stage 2 for PhD holders (for only those Lecturer s who have not availed the benefit in the previous stage upward-movement)	Two AICTE/State Government approved refresher Programs of not less than two weeks duration and two one week each TEQIP sponsored programs Two courses/program s of one week duration each approved of conducted by AICTE/UGC/MHRD/ DST/Central/ State Govt. Universities/In stitutes may also be considered as alternative to TEQIP programs.	1) One Course Program from among the categories of refresher courses, methodology workshops, Training, Teaching-Learning-Evaluation Technology Programs, Soft Skills development Programs and Faculty Development Programs of 2/3 weeks duration approved or conducted by AICTE/Central Govt./State Govt./TEQIP/CI ICP/ISTE/NITTR /IIT/DTE/SBTE/ University,etc . 2) Screening-cum-Verification process for recommending promotion	1) Minimum API Scores using PBAS scoring proforms developed by the concerned State Govt. as per the norms provided in Table 2 2) One Course Program from among the categories of refresher courses, methodology workshops, Training, Teaching-Learning-Evaluation Technology Programs, Soft Skills development Programs and Faculty Development Programs of 2/3 weeks duration approved or conducted by AICTE/Central Govt./State Govt./TEQIP/CI ICP/ISTE/NITTR /IIT/DTE/SBTE/ University,etc . 3) Screening-cum-Verification process for recommending promotion
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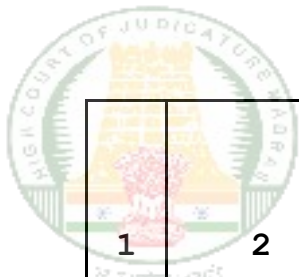
4	STAGE TO 4 Rs.8000/- to Rs.9000/-	3 Lecturer with completed services of 3 years in stage 3 (However, those joining the Service after 05.03.2010 shall have also earned Ph.D., in the relevant disciplin e, in addition to the condition s laid down in Regulatio n dated 08.11.2012) (3.8 of AICTE 2012 notificat ion)	Two AICTE/State Government approved refresher Programs of not less than two weeks each duration and two one week each TEQIP sponsored programs Two courses/programs of one week duration each approved or conducted by AICTE/UGC/MHRD/DST /Central/State Govt. Universities/Insti tutes may also be considered as alternative to TEQIP programs.	1) At least three publications in the entire period as Lecturer(12 Years). However in the case of College teachers an exemption of one publication will be given to M.Phil., Holders and an exemption of two publications will be given to Ph.D., holders. 2) Programs of minimum one week duration approved or conducted by AICTE/Central Govt./State One Course/Program from among the categories of methodology workshops, Training, Teaching-Learning-Evaluation Technology Programs, Soft Skills development Programs and Faculty Development Govt./TEQIP/CIICP /ISTE/NITTR/IIT/D TE/SBTE/Universit y, etc. 3) A Selection Committee Process as stipulated in the Regulation and in Table II (A) /II (B) of Appendix I.	1) Minimum API Scores using PBAS scoring proforms developed by the AICTE as per the norms provided in Table 2 2) At least three publications in the entire period as Lecturer(12 Years). However in the case of College teachers an exemption of one publication will be given to M.Phil., Holders and an exemption of two publications will be given to Ph.D., holders. 3) Programs of minimum one week duration approved or conducted by AICTE/Central Govt./State One Course/Program from among the categories of methodology workshops, Training, Teaching-Learning-Evaluation Technology Programs, Soft Skills development Programs and Faculty Development Govt./TEQIP/CIICP /ISTE/NITTR/IIT/D TE/SBTE/Universit y, etc. 4) A Selection Committee Process as stipulated in the Regulation and in Table 2
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5	STAGE TO 5 Rs.9000/- to Rs.10000/-	4 HOD with 3 years of completed service with Ph.D., in the relevant discipline upto 07.11.2012. HOD/Lecturer with 3 years of completed service in stage 4 with Ph.D., in the relevant Discipline on or after 08.11.2012 AICTE Clarification Dated 04.01.2016 Serial No. 24 and Page No. 24	HOD with 3 years of completed service with Ph.D., in the relevant Discipline Two AICTE/State Government approved refresher programs of not less than two weeks each duration and two one week each TEQIP sponsored programs. Two courses/programs of one week duration each approved or conducted by AICTE/UGC/MHRD/DST /Central/State Govt. Universities/ Institutes may also be considered as alternative to TEQIP programs.	1) HOD/Lecturer with 3 years of completed service in stage 4 with Ph.D., in the relevant Discipline 2) A Minimum of three publications since the period that the teacher is placed in stage. 3) A Selection Committee Process as stipulated in the Regulation and in Table II (A)/II(B) of Appendix I.	1) HOD/Lecturer with 3 years of completed service in stage 4 with Ph.D., in the relevant Discipline 2) Minimum yearly/cumulative API scores using the PBAS scoring proforma developed by the AICTE as per the norms provided in Table 2. Teachers may combine two assessment periods (in Stages 2 and 3) to achieve minimum API Scores, if required. 3) A Minimum of three publications since the period that the teacher is placed in stage. 4) A Selection Committee Process as stipulated in the Regulation and in Table 2
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35. The minimum academic performance and service requirements for promotion under Career Advancement Scheme applicable for the teachers of Polytechnic Colleges (Non Engineering - Humanities) are as follows:



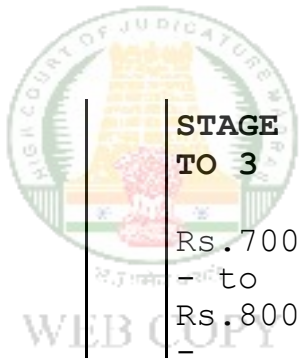
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1	2	3	I G.O.Ms.No.111 Hr.Edn.dated 25.05.2010	II AICTE Regulation-2012 without Academic Performance Indicator	III AICTE Regulation- 2012 with Academic Performance Indicator
S. No	Promotion of Teachers through CAS	Service Requirements	01.01.2006 to 07.11.2012	08.11.2012 to 07.11.2015	08.11.2015 to till date
1	STAGE 1 Rs.5400/ - to Rs.6000/ -	1) Lecturer completed 6 years with M.A.,/M.SC .,/ M.Com., only (without M.Phil.,/P h.D.,)	Two AICTE/State Government approved refresher Programs of not less than two weeks each duration and two one week each TEQIP sponsored programs Two courses/progr ams of one week duration each approved of conducted by AICTE/UGC/MHR D/DST/Central /State Govt. Universities/ Institutes may also by considered as alternative to TEQIP programs.	Two AICTE/State Government approved refresher Programs of not less than two weeks each duration and two one week each TEQIP sponsored programs Two courses/program s of one week duration each approved of conducted by AICTE/UGC/MHRD/ DST/ Central/State Govt. Universities/In stitutes may also be considered as alternative to TEQIP programs.	Two AICTE/State Government approved refresher Programs of not less than two weeks each duration and two one week each TEQIP sponsored programs Two courses/progr ams of one week duration each approved or conducted by AICTE/UGC/MHR D/DST/Central /State Govt. Universities/ Institutes may also by considered as alternative to TEQIP programs.



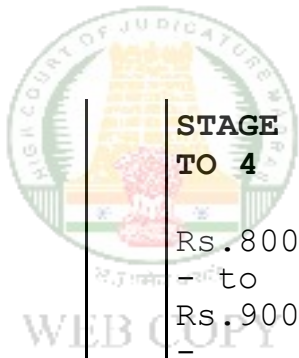
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2	STAGE 1 to 2	1) Lecturer completed 4 years with Ph.D., in the relevant discipline	Two AICTE/State Government approved refresher Programs of not less than two weeks each duration and two one week each	1) One orientation and one Refresher/Research Methodology Course of 2/3 weeks duration approved or conducted by AICTE/Central Govt./State Govt./TEQIP/CII CP/ISTE/NITTR/IT/DTE/SBTE/University, etc.	1) Minimum API Scores using PBAS scoring proforms developed by the AICTE as per the norms provided in Table 2
	Rs.6000/- to Rs.7000/-	2) Lecturer completed 5 years with M.Phil., in the relevant discipline .	TEQIP sponsored programs	2) Screening-cum-Verification process for recommending promotion.	2) One orientation and one Refresher/Research Methodology Course of 2/3 weeks duration approved or conducted by AICTE/Central Govt./State Govt./TEQIP/CII CP/ISTE/NITTR/IIT/DTE/SBTE/University, etc.
		3) Lecturer with M.A.,/M.Sc.,/M.Com., (6+3=9 years)	Two courses/programs of one week duration each approved of conducted by AICTE/UGC/MHRD/DST/Central/State Govt./Universities/Institutes may also be considered as alternative to TEQIP programs.		3) Screening-cum-Verification process for recommending promotion.



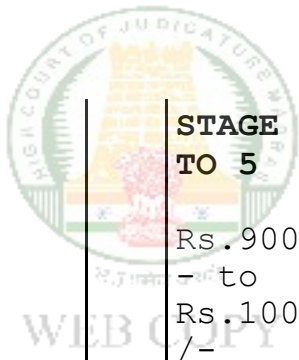
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STAGE 2 TO 3 Rs.7000/- to Rs.8000/-	Lecturer with completed services of 5 years in stage 2 Lecturer with completed services of 4 years in stage 2 for PhD holders (for only those Lecturers who have not availed the benefit in the previous stage upward-movement) For those joining the service after 05.03.2010, Ph.D is essential qualification for upward movement to Lecturer (Selection Grade) (SI. No. 10 of AICTE 2016 clarification)	Two AICTE/State Government approved refresher Programs of not less than two weeks each duration and two one week each TEQIP sponsored programs Two courses/programs of one week duration each approved of conducted by AICTE/UGC/MHRD/DST/Central/State Govt. Universities/Institutes may also be considered as alternative to TEQIP programs.	1) One Course Program from among the categories of refresher courses, methodology workshops, Training, Teaching-Learning-Evaluation Technology Programs, Soft Skills development Programs and Faculty Development Programs of 2/3 weeks duration approved or conducted by AICTE/Central Govt./State Govt./TEQIP/CII CP/ISTE/NITTR/IT/DTE/SBTE/University, etc. 2) Screening-cum-Verification process for recommending promotion	1) Minimum API Scores using PBAS scoring proforma developed by the AICTE as per the norms provided in Table 2 2) One Course Program from among the categories of refresher courses, methodology workshops, Training, Teaching-Learning-Evaluation Technology Programs, Soft Skills development Programs and Faculty Development Programs of 2/3 weeks duration approved or conducted by AICTE/Central Govt./State Govt./TEQIP/CII CP/ISTE/NITTR/IIT/DTE/SBTE/University, etc. 3) Screening-cum-Verification process for recommending promotion
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4

STAGE TO 4 Rs.8000/- to Rs.9000/- -	3 Lecturer with completed services of 3 years in stage 3 (However, those joining the Service after 05.03.2010 shall have also earned Ph.D., in the relevant discipline, in addition to the conditions laid down in Regulation dated 08.11.2012) (3.8 of AICTE 2012 notification)	Two AICTE/State Government approved refresher Programs of not less than two weeks each duration and two one week each TEQIP sponsored programs Two courses/programs of one week duration each approved or conducted by AICTE/UGC/MHRD/DST/Central Universities/ Institutes may also be considered as alternative to TEQIP programs.	1) At least three publications in the entire period as Lecturer(12 Years). However in the case of College teachers an exemption of one publication will be given to M.Phil. Holders and an exemption of two publications will be given to Ph.d.,holders. 2) Programs of minimum one week duration approved or conducted by AICTE/Central Govt./State One Course/Program from among the categories of methodology workshops, Training, Teaching-Learning-Evaluation Technology Programs, Soft Skills development Programs and Faculty Development Govt./TEQIP/CIICP/ISTE/NITTR/IIT/DTE/SBTE/University, etc. 3) A Selection Committee Process as stipulated in the Regulation and in Table 2.	1) Minimum API Scores using PBAS scoring proforma developed by the AICTE as per the norms provided in Table 2 2) At least three publications in the entire period as Lecturer(12 Years). However in the case of College teachers an exemption of one publication will be given to M.Phil. Holders and an exemption of two publications will be given to Ph.D.,holders. 3) Programs of minimum one week duration approved or conducted by AICTE/Central Govt./State One Course/Program from among the categories of methodology workshops, Training, Teaching-Learning-Evaluation Technology Programs, Soft Skills development Programs and Faculty Development Govt./TEQIP/CIICP/ISTE/NITTR/IIT/DTE/SBTE/University, etc. 4) A Selection Committee Process as stipulated in the Regulation and in Table 2
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5

STAGE TO 5 Rs.9000/- to Rs.10000/-	4 HOD/lecturer with 3 years of completed service upto 07.11.2012 . HOD/Lecturer with 3 years of completed service in stage 4 with Ph.D., in the relevant discipline on or after 08.11.2012 AICTE Clarification Dated 04.01.2016 Serial No. 24 and Page No. 24	HOD with 3 years of completed service in stage 4 with Ph.D., in the relevant Discipline Two AICTE/State Government approved refresher programs of not less than two weeks each duration and two one week each TEQIP sponsored programs. Two courses/programs of one week duration each approved or conducted by AICTE/UGC/MHRD/DST/Central/State Govt. Universities/ Institutes may also be considered as alternative to TEQIP programs.	1) HOD/Lecturer with 3 years of completed service in stage 4 with Ph.D., in the relevant Discipline 2) A Minimum of three publications since the period that the teacher is placed in stage. 3) A Selection Committee Process as stipulated in the Regulation and in Table 2.	1) HOD/Lecturer with 3 years of completed service in stage 4 with Ph.D., in the relevant Discipline 2) Minimum yearly/cumulative API scores using the PBAS scoring proforma developed by the AICTE as per the norms provided in Table 2. Teachers may combine two assessment periods (in Stages 2 and 3) to achieve minimum API Scores, if required. 3) A Minimum of three publications since the period that the teacher is placed in stage. 4) A Selection Committee Process as stipulated in the Regulation and in Table 2
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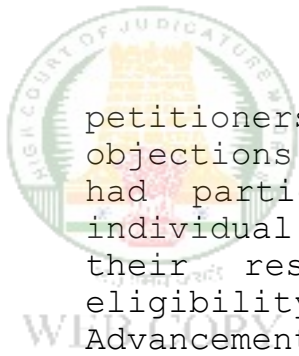


36. With reference to the above, the learned Additional Advocate General for example demonstrated that in some cases, where erroneous pay fixation / academic grade pay movement was made by the Principal of the Institution. While perusing the particulars given in many cases, the academic grade pay was granted with effect from 01.01.2006, without properly verifying the eligibility of the Government Order in force, in certain cases, benefits were given with retrospective effect, which is not contemplated in G.O.(Ms) No.58, dated 21.03.2018. However, all these factors are to be verified with reference to the eligibility and qualification of the individuals in accordance with the Scheme and the same are to be rectified and excess payment, if any, paid to the teaching staff must be recovered in the interest of public as pointed out earlier. No Government servant should be allowed to have unjust enrichment of public money.

37. The Career Advancement Scheme with reference to 2012 Regulations and the consequential Government Order are made undoubtedly based on the erroneous interpretation of the Government Order. The eligibility criteria date from which the monetary benefits to be extended both notional and actual resulted in huge monetary loss to the State Exchequer running to several crores. The wrong interpretation and excess payment of monetary benefits to the teaching staff is particularly made since no prior approval of the Commissioner of Technical Education was obtained and in the event of obtaining any such approval, uniformity and consistency would have been maintained. Without obtaining prior approval from the Commissioner of Technical Education, each Polytechnic College fixed the pay and paid arrears as per their own interpretation or by following the other Colleges. In view of the anomalous situation and considering the fact that there is a huge financial loss to the Government, while implementing the Government Orders, the Government constituted a Screening Committee for the purpose of verification of eligibility and therefore, the Screening Committee must be allowed to do the said exercise thoroughly by assessing the eligibility of the teaching staff, fix their eligibility and accordingly, grant Career Advancement Scheme by fixing the scale of pay in accordance with the Scheme. Such an exercise is imminent for the purpose of settling the issues and to avoid the multiplicity of proceedings.

38. In view of the fact that this Court cannot conduct an enquiry in respect of the individual's qualifications and eligibility, the matters are to be placed before the Screening Committee for ascertaining the eligibility of the individuals for correct pay fixation and for the benefits of Career Advancement Scheme.

39. As far as Batch-I writ petitions are concerned, it is submitted by the learned Additional Advocate General that the



petitioners were not provided with an opportunity to place their objections before the Screening Committee. Though the Management had participated in the Screening Committee as members, the individual are also to be provided with an opportunity to submit their respective defence / objections and establish their eligibility for the purpose of getting benefits of Career Advancement Scheme.

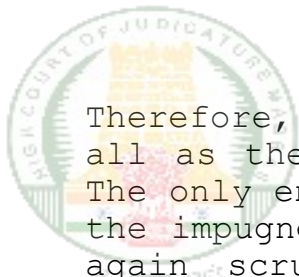
40. The learned Additional Advocate General undertakes that once the Committee makes a fresh recommendation, certain orders, which all are correctly passed by the Management, will be confirmed and in such cases, there is no necessity for the Authority Competent to pass fresh orders and in cases, where mistakes occurred, then fresh orders will be passed by the Authority Competent in accordance with the Government Orders in force by cancelling the earlier orders.

41. In view of the facts and circumstances, this Court is of the considered opinion that the petitioners come under Batch-I writ petitions are entitled to get opportunity to appear before the Screening Committee scheduled to be conducted from 21.03.2022 to 23.03.2022 between 11.00 a.m., and 05.00 p.m.

42. This being the factum,

- The orders impugned in the Batch-I writ petitions are directed to be kept in abeyance till such time the Committee takes a decision after affording due opportunity to all the petitioners in Batch-I writ petitions and orders are passed by the Authority competent.
- The petitioners in Batch-I writ petitions are at liberty to send their service particulars, objections and documents establishing their eligibility through online to the Commissioner of Technical Education, who is the Chairman of the Committee. Even if the petitioners have chosen to appear before the Screening Committee in person, they are at liberty to appear before the Committee for representing their case from 21.03.2022 to 23.03.2022 between 11.00 a.m. and 05.00 p.m.
- Thereafter, the Authority Competent shall consider the same in consonance with the Scheme and pass orders on merits and in accordance with law, as expeditiously as possible.

43. Insofar as the petitioners come under Batch-II writ petitions are concerned, they have availed the opportunity and appeared before the Screening Committee and presented their case.



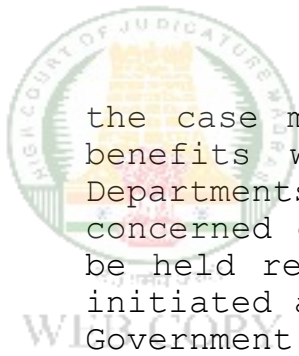
Therefore, providing further opportunity to them would not arise at all as the principles of natural justice have been complied with. The only endeavour is to ensure that the correctness or otherwise of the impugned orders now questioned by the petitioners is to be once again scrutinized by the Appellate Authority. As far as the Original Authority is concerned, the petitioners have participated before the Screening Committee representing their case and the Original Authority has taken a decision and issued the impugned orders of recovery and this Court do not find any infirmity. In such view of the matter,

- the petitioners come under Batch-II writ petitions are at liberty to prefer appeal along with the documents and Government Orders in force under the General Rules before the Secretary to Government, Higher Education Department / Appellate Authority.
- In the event of submitting any such appeal, the Appellate Authority shall consider the same on merits and in accordance with law and pass appropriate orders as expeditiously as possible.
- The petitioners are at liberty to file interim applications along with the appeals before the Appellant Authority for grant of stay of the recovery orders.

44. W.P.(MD) No.1661 of 2019 is concerned, Mr.Rajpal Singh, learned counsel appearing for the petitioner made a submission that he is confining the relief sought for in the writ petition as the learned Additional Advocate General made a submission that the petitioners will be permitted to appear before the Screening Committee to place all the documents and to establish their case. Therefore, the petitioner in W.P.(MD) No.1661 of 2019 is directed to comply with the directions issued in respect of Batch-I writ petitions.

45. As far as W.P.(MD) No.8971 of 2020 is concerned, The Authority Competent is directed to verify as to whether the petitioner in W.P.(MD) No.8971 of 2020 has appeared before the Screening Committee. In case he had not appeared before the Screening Committee, he should be permitted to appear before the Screening Committee as per the directions granted in respect of Batch-I writ petition. In case, he appeared before the Screening Committee, then he should be permitted to prefer appeal as per the directions granted in Batch-II writ petitions..

46. The Secretary to Government and the Commissioner of Technical Education are directed to ensure that all the pay fixations and other monetary benefits granted under various Schemes are implemented scrupulously, only after getting prior approval from the Commissionarate of Technical Education and the Government, as



the case may be. In the event of any implementation of monetary benefits without getting prior approval from the Heads of the Departments or Government, then, the Management / Authority concerned of the Government Aided Private Polytechnic Colleges must be held responsible and accountable and suitable actions are to be initiated against the Educational Agency / Management and in case of Government Polytechnic Colleges, disciplinary action must be taken against the Principal / Authorities of the Colleges and the monetary loss to the Government must be recovered from all concerned and this direction shall be communicated by the Commissioner of Technical Education to all the Polytechnic Colleges, either Government or Government Aided throughout the State of Tamil Nadu.

47. It is made clear that the learned counsels for the petitioners shall inform the petitioners not to wait for the certified copy of this order and submit their explanations / objections / eligibility etc., to the Commissioner of Technical Education, who is the Chairman of the Screening Committee through online or in person or otherwise as directed above.

48. With the above observations and directions all these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

krk

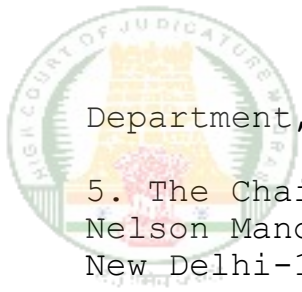
To:

1. The Principal Secretary, State of Tamil Nadu,
Department of Higher Education
Fort St.George, Chennai-600 009.

2. The Commissioner of Technical Education,
Directorate of Technical Education (DOTE),
53, Sardar Patel Road, Guindy, Chennai-600 025.

3. The Accounts-General
Office of the Accountant General (Accounts & Entitlements)
Tamil Nadu,
361, Anna Salai, Teynampet, Chennai-600 018.

4. The Secretary, State of Tamil Nadu,
Personnel and Administrative Reforms



Department, Fort St. George, Chennai-600 009.

5. The Chairman, All India Council For Technical Education,
Nelson Mandela Marg, Vasant Kunj,
New Delhi-110070S

6. The Member Secretary,
All India Council For Technical Education,
I.G Sports Complex, I.P. Estate,
New Delhi - 110 002.

7. The Secretary, State of Tamil Nadu
Department of Technical Education,
Fort.St.George,
Chennai-600 006

8. The Assistant Director of Internal Audit,
Madurai Mukkam, Sivagangai-630 561

9. The Principal Government Polytechnic College,
Thuvakudimalai,
Tiruchirappalli-620 022.

10. The Principal Government Polytechnic College,
Nagapadi, Tiruvannamalai District, Pin -606 705. .

11. The Principal Muthiah Polytechnic College,
Annamalai Nagar, Chidambaram Rs-608 002

12. The Principal Government.
Polytechnic College, Papanasam,
Thanjavur District - 614210

13. The Treasury Officer, District Treasury Office,
Sivagangai- 630 561.
Sivagangai District.

14. The Assistant Treasury Officer,
Sub - Treasury Office,
Karaikudi , Sivagangai District .Pin 630 002,

+1 CC to M/s.SPL GP (SR-11513[F],11515, 11514, 11512, 11511, 11516,
11517, 11518,11519,11524,11551,11563,11568 dated 11/03/2022)

+1CC to Mr.T.Lajapathi Roy,Advocate,Sr.no.11377 dated 11.03.2022

+1CC to Mr.N.Tamilmani, Advocate, SR.No.11388, dated 11.03.2022

+2CC to M/s.Ajmal Associates, Advocate, SR.No.11405,11406 dated
11.03.2022



+4CC to Mr.S.Karthik, Advocate, SR.No.11475,11476 dated 11.03.2022

+1CC to Mr.V.Panner selvam, Advocate SR.No. 11631 dated 11.03.2022

+1CC to Mr.N.Dilip Kumar, Advocate, SR.No. 11635 dated 11.03.2022

+3CC to Mr.F.Deepak, Advocate, SR.No. 11413,,11414,11415 dated 11.03.2022

+12CC to M/s.Issac Chamber, Advocate, SR.No. 11987, 11988, 11989, 11990,11991,11992, 11993, 11994, 11995, 11996, 11997, 11998 dated 14.03.2022

W.P. (MD) Nos.1661, 24375, 24761 & 25975 of 2019
4601, 4602, 6323, 6359, 6843, 6923,
7070, 7915, 7918, 8029, 8902, 8971,
9413, 9823, 9841, 9977, 9978, 9986,
10003, 11379, 11392, 11418, 12373 &
16234 of 2020 ,1787, 8954, 8959, 9175,
9177, 9180, 9182, 9183, 9184, 9185,
9186, 9199, 9200, 9265 & 16686 of 2021
1711 & 1716 of 2022

and

W.M.P. (MD) Nos.1415, 1416, 21006, 21367
& 22968 of 2019
3955, 3957, 3958, 3959, 5555, 5597,
5598, 6250, 6346, 6347, 7381, 7382,
7386, 7387, 7461, 7462, 8151, 8152,
8202, 8203, 8540, 8541, 8809, 8811,
8812, 8825, 8826, 8916, 8917, 8918,
8919, 8921, 8923, 8924, 8925, 8927,
8928, 8929, 8930, 8936, 9952, 9953,
9968, 9972, 9993, 9994, 10583, 10584,
10587, 13573, 13574, 13575 & 13576 of
2020
1519, 1521, 6754, 6755, 6910, 6911,
6914, 6916, 6917, 6918, 6919, 6920,
6931, 6932, 6933, 6978, 11066, 11067,
13572, 16915 & 16916 of 2021
727, 789, 811, 815, 838, 844, 918, 925,
1027, 1512, 1514, 1526, 1528, 1537,
1538, 1540, 1542 & 1543 of 2022
10.03.2022

SRK (CO)
KB (25.03.2022) 60P 41C