



W.P.No.13984 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

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1. Dr.A.Sudandiramani
2. Dr.M.P.Rajendran
3. Dr.V.S.Gajapathi
4. Dr.T.N.Varadarajan
5. Dr.Abideen Bobujee Peter
6. Dr.R.Govindarajan
7. Dr.N.Pandurangan
8. Dr.M.Venkataraman
9. Dr.R.Sivaramakrishnan
10. Dr.M.Balasubramanian
11. Dr.L.Chandrasekaran
12. Dr.N.Subramanian
13. Dr.R.Raghavan
14. Dr.T.M.Duraikumar
15. Dr.Javid Ahmed
16. Dr.A.S.Paripuranam
17. Dr.N.Velayuthan
18. Dr.N.Manickavachakan
19. Dr.R.Sivanandam
20. Dr.G.Janardhanan
21. Dr.V.K.Srinivasan
22. Dr.S.Isac Mohanraj
23. Dr.A.R.Jagath Narayanan
24. Dr.R.Subramani
25. Dr.K.Ekambaram
26. Dr.V.Veerabadran
27. Dr.D.Rajaram
28. Dr.Iqbal Ahmed
29. Dr.N.V.Sridharan



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30. Dr.S.Sankaralingam
31. Dr.V.Veerreswarayya
32. Dr.V.S.Mani
33. Dr.K.P.Rajasekaran
34. Dr.P.Inbasekaran
35. Dr.S.N.Venkatesan
36. Dr.K.Pandurangan
37. Dr.P.N.Narayanan
38. Dr.T.R.Sivasubramanyam
39. Dr.Francis Samuel Mohan
40. Dr.M.Elanchelian
41. Dr.S.K.Padmanaban
42. Dr.P.Gurusamy
43. Dr.M.Jayaseelan
44. Dr.C.J.Purushothaman
45. Dr.A.R.Mahadevan
46. Dr.A.R.Ranga Rao
47. Dr.R.Nedunchezhiyan
48. Dr.A.Sivaramakrishnan
49. Dr.R.Umapathy
50. Dr.K.Balaraman
51. Dr.K.Murthy
52. Dr.M.V.Ram Mohan
53. K.MD.Aboo Bucker
54. R.Baladhandayuthapani
55. R.Selvaraju
56. A.Akbar Ali
57. N.Ganesan
58. T.Ganapathy
59. S.Abbas Ali
60. M.Nathappan
61. P.Mohan Raj
62. P.Manohar
63. J.Rajendran Cleur
64. N.Balasubramanian
65. R.Jothiraj
66. M.Arulmani
67. V.Subramanian
68. Dr.R.Victor Bakthan



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69. Dr.Sengottuvelu
70. Dr.N.Muthuraju
71. Dr.A.Frazer Thomas
72. Dr.M.Ganesamoorthy
73. Dr.V.Mahendran
74. Dr.D.Gunaseelan
75. Dr.V.Ramalingam
76. Dr.E.Mahalingam
77. Dr.S.E.Thiagarajan
78. Dr.K.Nalliyam
79. Dr.T.Manimuthu Bose
80. Dr.AN Mohan Ram
81. Dr.S.Sevaprakasam
82. Dr.S.Chinnasamy
83. Dr.K.Periyasamy
84. Dr.T.Arumugam
85. Dr.N.E.Dheenadayalan
86. Dr.P.Kannan
87. Dr.V.S.Murahari
88. Dr.K.Gnanasambandam
89. Dr.R.Balasubramanian
90. Dr.R.Thirunavukarasu
91. Dr.M.S.Meenkashi Sundaram
92. Dr.I.L.S.Christopher
93. Dr.M.Rajendran
94. Dr.P.Gnasekaran
95. Dr.R.Jayakumar
96. Dr.A.S.Sadasivan
97. Dr.K.M.Sathyamurthi
98. Dr.P.M.Thangavel
99. Dr.K.E.Mahaboob Sahib
100. Dr.C.Natarajan
101. Dr.S.Swaminathan
102. Dr.C.S.Sridhar
103. P.N.Shanmugam
104. Dr.R.Chenniappan
105. Dr.V.Natarajan
106. Dr.P.Kamarajan
107. Dr.Veluchamy



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108. Dr.R.Gangatharan
109. Dr.S.Gurumohandas Gandhi
110. Dr.A.Ramasamy
111. Dr.B.Ponraj
112. Dr.A.Rajendran
113. R.Boominathan
114. R.Sethuraman
115. Dr.Sivaprakasam
116. Dr.Uthanumallian N
117. Dr.K.Rajagopal
118. Dr.P.Kannuchamy
119. Dr.C.Kanakaraj
120. Dr.P.Rangakrishnan
121. Dr.Kalayanasundaram
122. Dr.L.Somasundram
123. Dr.R.Sivagaminathan
124. Dr.Thangaraj Rathinasamy
125. Dr.G.Namasivayam
126. Dr.P.Muthuveerapandian
127. Dr.M.Subramanian
128. Dr.A.Chidambaram
129. Dr.R.Chellappa
130. Dr.S.Ramakrishnan
131. T.Jeevagan
132. Dr.F.Babu Manohar
133. Dr.B.Jayaseelan
134. Dr.A.John Malachi Thilagam
135. Dr.B.Baskaran
136. Dr.S.N.N.Mohammed Ali Jinna
137. D.Ganttalu N.Ramanujam
138. Dr.V.Sankaranarayana
139. Dr.S.Radhakrishnan
140. Dr.V.Srinivasan
141. Dr.T.Raju
142. Dr.B.Arumugam Pushparaj
143. Dr.D.Natarajan
144. Dr.S.Ganapathy
145. Dr.S.Kalyanaraman
146. Dr.E.Kumarakurubaran



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147. J.Rexraj
148. R.J.D.Sugistha Raj
149. M.Abraham Berty Chandran
150. Jeyachandran Israel
151. N.Sivanandham
152. Dr.M.Vasagan
153. Dr.S.Muthusamy
154. Dr.M.E.Jothiraj
155. Dr.K.Subramani Pillai
156. Dr.P.S.Subbiah
157. Dr.T.V.Shanmugavelu
158. Dr.P.Pothiraj
159. Dr.A.Jeyaseetha Raman
160. Dr.J.Talbert Dawson
161. Dr.A.K.Gurunathan
162. Dr.K.Jagadeesan
163. Dr.AV.M.Ganesan
164. Dr.K.Manoharan
165. D.T.Mohan
166. Dr.N.Abdul Khadar
167. Dr.Gilbert Rajkumar
168. Dr.N.Rajagopalan

... Petitioners

-Vs-

1. The State of Tamil Nadu,
represented by Principal Secretary to Government,
Finance Department,
Fort St.George,
Chennai 600 009.

... Respondent

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorari, to call for the records of the respondent in G.O.Ms. No.71 Finance dated 26.02.2011 and quash the said order of the respondent dated 26.02.2011.

For Petitioners : Mr.E.Manoharan
For Respondent : Mr.M.P.Murugan Raja
Government Advocate



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ORDER

This Writ Petition has been filed respondent in G.O.Ms. No.71 Finance dated 26.02.2011 and quash the same.

2. Heard the learned counsel for the petitioners and the learned counsel for the respondent and perused the materials available on record.

3. The similarly placed persons challenged G.O.Ms.No.71 Finance Department dated 26.02.2011 before this Court. The Hon'ble Division Bench of this Court in a batch of writ appeals and also other writ petitions, disposed of with the following directions:-

“51. In such circumstances, the writ appeals and writ petitions are disposed of with the following directions:

(i) The Government shall constitute a Pay Grievance Redressal Committee under the Chairmanship of Hon'ble Mr.Justice A.S.Venkatachalamoorthy, formerly Judge of this Court, who was elevated and retired as Chief Justice of the Chattishgarh High Court.

(ii) The Government is at liberty to nominate one or two Senior level IAS Officers at the level of Principal Secretary, serving/retired as Member(s) of the Pay Grievance Redressal Committee.

(iii) The Pay Grievance Redressal Committee shall be given specific terms of reference by the Government, with a request to submit a report/recommendations for taking fresh decision regarding the enhancement/reduction of the pay scales/grade pay of 52 or more categories of 20 or more departments, etc.

(iv) The Government is directed to constitute the above said committee within a period of three weeks from the date of receipt of copy of this order, prescribing time limit, within which



report/recommendations is to be submitted for taking fresh decision.

(v) In view of the constitution of the above said Committee as ordered above, the implementation of G.O.Ms.No.71 dated 26.2.2011 and G.O.Ms.No.242 dated 22.7.2013 insofar as it affects any category of Government Servants/ pensioners/family pensioners, which are not implemented as on today shall not be implemented till fresh decision is taken.

(vi) If any of the categories of Government servants of any department, who have been offered higher scales of pay as on today, it is open to the Government to implement the same insofar as the pay scales, which are beneficial to the employees of such categories.

(vii) As we have appointed the Chairman of the PGRC, we direct the Government of Tamil Nadu to make available office premises with supporting staff and to provide a Government car with driver for the use of the Chairman for effective functioning of the Committee.

(viii) We fix the remuneration for the Chairman of the Committee as Rs.1.50 lakhs per month and direct the Government to sanction necessary funds towards remuneration and for meeting other expenses for effective functioning of the Committee.

(ix) It is open to the Government to fix remuneration of the Members/Member of the Committee, to be nominated by the Government, if they are retired IAS officer(s)."

4. Aggrieved by the same, the Tamil Nadu Rural Development Engineers and Assistant Engineers Association filed an appeal before the Hon'ble Supreme Court of India in ***Civil Appeal Nos.10030-10189, 10190, 10191 and 10192 of 2017***. While disposing the appeals, insofar as the direction issued by the Hon'ble Division Bench of this Court the Point Nos. (iii), (v) to (vii) were accepted and did not call for any change. Simultaneously other directions were issued by the Hon'ble Supreme Court of India and all the Civil Appeals are with some more directions.



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5. In view of the orders passed by the Hon'ble Division Bench of this Court and confirmed by the Hon'ble Supreme Court of India, G.O.Ms.No.71 Finance dated 26.02.2011 had already been quashed.

6. Recording the above, this writ petition is closed. No costs.

02.08.2023

Internet : Yes
Index : Yes/No
Speaking order/Non-speaking order
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To

The Principal Secretary to Government,
The State of Tamil Nadu,
Finance Department,
Fort St.George,
Chennai 600 009.



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G.K.ILANTHIRAIYAN, J.

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