



W.P.No.4589 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.No.4589 of 2018

1. T.Jaganathan
2. M.Mahudamudi
3. S.Samuel
4. D.Asirvadam
5. P.R.Devaki
6. N.Joghee

... Petitioners

-Vs-

1. The Government of Tamil Nadu
represented by its Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Fort St.George, Chennai 600 009.
2. The Principal Secretary to Government of Tamil Nadu,
Finance Department,
Fort St.George, Chennai 600 009.
3. The Commissioner of Rural Development and Panchayat Raj,
Panagal Building
Saidapet,
Chennai 600015.
4. The District Collector (PD Section)
Uthakamandalam District,
Uthakamandalam.

... Respondents



W.P.No.4589 of 2018

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first and second respondents to revise the scales of pay of the petitioners as per G.O.Ms.No.71 (Finance) Pay Cell dated 26.02.2011, in accordance with the directions given in Para 51 (vi) of the Judgment rendered by Division Bench of this Hon'ble Court in W.A.No.504 of 2013 dated 27.02.2014 with all consequential benefits such as revised pension, arrears of pension etc.,

For Petitioners : No appearance
For Respondents : M/s V.Yamuna Devi
Special Government Pleader

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus, to revise the scales of pay as per G.O.Ms.No.71 (Finance) Pay Cell dated 26.02.2011, in accordance with the directions given in Para 51 (vi) of the Judgment rendered in W.A.No.504 of 2013 dated 27.02.2014 by Division Bench of this Court with all consequential benefits such as revised pension and arrears of pension.

2. The contention of the petitioners is that the G.O.Ms.71 (Finance) Pay Cell dated 26.02.2011 was passed and that is applicable to



W.P.No.4589 of 2018

four categories of post namely, Block Development Officer, Tahsildar, Inspector of Police and Forest Rangers whose scales of pay were revised upwardly. But for the Assistant Executive Engineers, Executive Engineers working in Public Works Department, the Joint Director of Agriculture, Animal Husbandry etc., the said G.O has downgraded the scale of pay. Since it is downgraded without notice, it is affecting the petitioners and similarly placed persons.

3. Therefore, they have filed a petition in W.P.No.7006 of 2011 and the same was allowed. Aggrieved over the same, the respondents preferred an appeal in W.A.No.504 of 2013 and the same was disposed of with several directions. Aggrieved over the same, the Government preferred S.L.P (Civil) No.12355 of 2014 and the Hon'ble Supreme Court of India, on 16.01.2015, was pleased to issue notice to the respondents and the same is pending. In the meanwhile, the petitioners have filed this writ petition to consider the claim and revise the scale of pay as per G.O.Ms.No.71 (Finance) Pay Cell, dated 26.02.2011 in the light of the Judgment rendered in W.A.No.504 of 2013 dated 27.02.2014.

4. Therefore, this Court without expressing any opinion, simply



W.P.No.4589 of 2018

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directing the respondents to consider and pass order in the light of the order passed in G.O.Ms.No.71 (Finance) Pay Cell dated 26.02.2011 and the Judgment passed in W.A.No.504 of 2013 dated 27.02.2014.

5. The respondents shall take into account the pendency of the Supreme Court litigation and if any orders of directions are issued in the said S.L.P (Civil) No.12355 of 2014, that shall be followed while passing the order.

6. With the above direction, this writ petition is disposed of. There shall be no order as to costs.

06.03.2023

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



W.P.No.4589 of 2018

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W.P.No.4589 of 2018

S.SRIMATHY, J.

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W.P.No.4589 of 2018

06.03.2023