



W.A.(MD)No.1072 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.A.(MD)No.1072 of 2016

and

C.M.P.(MD)No.6451 of 2016

The Commissioner of Panchayat,
Thiruvonam Panchayat Union,
Tanjore District.

... Appellant

Vs.

- 1.G.Marimuthu
- 2.G.Ramaiyan
- 3.S.Sarandoss
- 4.P.Thiagarajan
- 5.P.Krishnamoorthy
- 6.A.Ameladoss
- 7.P.Sithivinayagam
- 8.A.Paramasivam
- 9.R.Meganathan
- 10.V.Vasudevan
- 11.A.Sardhar

- 12.The Principal Secretary to Government,
Agriculture Department,
Secretariat, Chennai-09.



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- 13.The Secretary to Government,
Public Works Department,
Secretariat, Chennai-09.
- 14.The Principal Secretary to Government
Public Health Department Secretariat,
Chennai-09.
- 15.The Chief Engineer,
Public Works Department,
Chepauk, Chennai-09.
- 16.The Commissioner of Agriculture,
Chepauk, Chennai-05.
- 17.The District Collector,
Tanjore District, Tanjore.
- 18.The Executive Engineer,
(Buildings Construction and
Maintenance Division),
Public Works Department,
Tanjore District.
- 19.The Superintending Engineer,
Medical College Maintenance Circle,
Public Works Department, Trichirapalli.
- 20.The Revenue Divisional Officer,
Pattukottai Division, Pattukottai,
Thanjavur District.
- 21.The Deputy Director of Health Public
Health and Preventive Medicines Department,
Tanjore District.



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22.The Executive Engineer,
Grand Anaicut Canal Division,
Public Works Department,
Tanjore District.

23.The Assistant Director of Agriculture,
Thiruvaiyaru Taluk,
Tanjore District.

...Respondents

PRAYER: Appeal filed under Clause 15 of the Letters Patent Act to set aside the order of this Court in W.P.(MD)No.12475 of 2010 dated 11.04.2012.

For Appellant : Mr.S.P.Maharajan
For R1 : Mr.S.Visvalingam

JUDGMENT

(Judgment of the Court was delivered by ***S.M.SUBRAMANIAM, J.***)

This writ appeal has been filed against the order dated 26.07.2013 in W.P.(MD)No.12140 of 2013.

2.The private respondents instituted the writ proceedings to direct the official respondents to extend the benefits granted as per Serial No.8, Schedule-II as per Paragraph-4 of the order and Rules 3(1) of G.O.Ms.No.162, Finance (Paycell) Department, dated 13.04.1998 to the writ petitioners also by granting



ordinary grade Rs.4,000-100-6000 and Selection Grade Rs.5000-150-8000 and Special Grade Rs.5500-175-9000 according to their total service rendered within a specified time frame fixed by this Court.

3.The learned Special Government Pleader appearing on behalf of the appellant and the learned counsel appearing on behalf of the respondents/employees brought to out notice that the issues are no more res integra in view of the order passed by the Hon'ble Supreme Court in Civil Appeal No.9533-9537 of 2019 dated 18.12.2019. The relevant paragraphs of the judgment are extracted hereunder:

“5. As discussed supra, it has not been disputed before us that the drivers concerned were not entitled to any promotional avenues. Thus, it is evident that the High Court rightly concluded that the drivers were entitled to the full benefits of the appropriate pay scale under Schedule II of the 1998 Rules. However, in light of our foregoing finding that persons employed in the post of drivers in various departments in the Government of Tamil Nadu are only entitled to Ordinary, Selection and Special Grade pay scales in terms of Serial No. 6 of Schedule II of the 1998 Rules, i.e. at Rs. 3200-4900, Rs. 4000-6000 and Rs. 4300-6000 respectively, we have no hesitation to hold that the High Court erred in directing fixation of such pay scales to drivers employed at the High Court in terms of Serial No. 8 of the Schedule II, fixing Selection Grade and Special Grade scales of pay of Rs. 5000-8000 and



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Rs. 5500- 9000 respectively.

6. *The appeals are therefore allowed partly, to the extent that the State Government is directed to fix the pay scale benefits available to the Respondents in the instant appeals in terms of Serial No. 6 of Schedule II of the 1998 Rules under G.O. Ms. No. 162.*”

4.In view of the above, no further adjudication on merits is required in this writ appeal and the order of the Hon'ble Supreme Court is to be implemented in respect of the parties to the writ appeal.

5.Accordingly, this writ appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (V.L.N., J.)
14.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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