



WEB COPY



W.A.Nos.2030 & 2031 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2024

CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

W.A.Nos.2030 & 2031 of 2013
and
M.P.Nos. 1 & 2 of 2013

1. State of Tamil Nadu,
Represented by the Deputy Director of Health Services,
Villupuram,
Villupuram District.
2. The District Treasury Officer,
Villupuram, Villupuram District. ... Appellants in both W.A's

Vs.

K.Bakthavachalu ... Respondent in W.A.No.2030
of 2013

S.Ramsingh ... Respondent in W.A.No.2031
of 2013

Common Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order dated 05.06.2013 passed in W.P.Nos.15129 & 15130 of 2013.

For Appellants : Mr.T.Chandrasekaran
Special Government Pleader
[in both W.A's]



W.A.Nos.2030 & 2031 of 2013

For Respondent : No appearance [in both W.A's]

COMMON JUDGMENT

(Common judgment of the Court was made by **S.M.SUBRAMANIAM, J.**)

Mr.T.Chandrasekaran, learned Special Government Pleader appearing on behalf of the appellants would submit that the issues raised in the present writ petition are no more *res integra* and the issue is covered by the judgment of the Hon'ble Supreme Court of India in Civil Appeal Nos.9533 to 9537 of 2019 dated 18.12.2019.

2. The Division Bench of this Court also passed an order dated 14.12.2022 passed in W.A.No.1022 of 2014. The said order of the Division Bench reads as under:

"The issue involved in this Writ Appeal relates to fixation of Selection Grade and Special Grade Pay for Drivers working in various Departments, Corporations and Local Bodies of the Government of Tamil Nadu.

2. *The Writ Court has directed the Government to refix the Selection Grade Pay at 5,000-150-8000, and the Special Pay at 5500-175-9000 as per Entry 8 of Schedule II of the G.O.No.162 dated 13.04.1998. The issue is covered by the judgment of the Hon'ble Supreme Court in Civil Appeal Nos.9533 to 9537 of 2019*



WEB COPY



W.A.Nos.2030 & 2031 of 2013

dated 18.12.2019. The Hon'ble Supreme Court while upholding a subsequent judgment of a Division Bench of this Court in W.A.Nos.1398, 1605 of 2013 etc, batch dated 08.07.2015 has held that the drivers would be entitle to Selection Grade and Special Grade Pay in terms of Entry 6 of Schedule II of the Tamil Nadu Revised Scales of Pay Rules, 1998, i.e. at Rs.4000-100-6000 as Selection Grade Pay and 4300-100-6000 as Special Grade Pay.

3. *In view of the pronouncement of the Hon'ble Supreme Court, this Writ Appeal is partly allowed fixing the Selection Grade and Special Grade Pay in terms of Entry 6 of Schedule II of the 1998 Rules at Rs.4000-100-6000 (Selection Grade) and 4300-100-6000 (Special Grade Pay). There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed."*

3. In view of the above Division Bench Judgment, both the Writ Appeals stand **partly allowed** fixing the Selection Grade and Special Grade Pay in terms of Entry 6 of Schedule II of the 1998 Rules at Rs.4000-100-6000 (Selection Grade) and 4300-100-6000 (Special Grade Pay). There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

[S.M.S., J.] [C.K., J.]
21.06.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No



W.A.Nos.2030 & 2031 of 2013

WEB COPY

1. State of Tamil Nadu,
Represented by the Deputy Director of Health Services,
Villupuram,
Villupuram District.
2. The District Treasury Officer,
Villupuram, Villupuram District.



WEB COPY



W.A.Nos.2030 & 2031 of 2013

S.M.SUBRAMANIAM, J.
AND
C.KUMARAPPAN, J.

veda

Common Judgment in
W.A.Nos.2030 & 2031 of 2013

21.06.2024



WEB COPY



W.A.Nos.2030 & 2031 of 2013