



W.P. No.28031 of 2007

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P. No.28031 of 2007 and
M.P.Nos. 1 and 2 of 2007 and 2 of 2009

Association of University Teachers
Rep. by its General Secretary
134, Ramalane, Nungambakkam,
Chennai 34.

... Petitioner

Vs

- 1.The Government of India,
rep. by its Secretary
Ministry of Human Resources
Development
Department of Education
New Delhi.
- 2.The Government of India,
rep. by its Secretary
Ministry of Finance
New Delhi.
- 3.The University Grants Commission,
rep. by its Secretary,
Bahadurshahzafar Marg
New Delhi – 2.
- 4.The Government of Tamilnadu,
rep. by its Secretary,



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Department of Higher Education,
Fort St.George, Chennai 9.

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5.The Director of Collegiate
Education, College Road,
Chennai 6.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari calling for the records relating to the impugned clarification in No.F-1-22/97-UI, dated 24.03.1999 and the consequential proceedings in R.C.No.19333/E1/99 dated 07.05.1999 from the first and the fifth respondents respectively, and quash the same in so far as point No.8 in the impugned clarification dated 24.03.1999 of the first respondent and the consequential proceeding of the fifth respondent dated 07.05.1999 relating to Career Advancement Scheme and consequently direct the respondents to fix the pay of Rs.14,940/- to all the Selection Grade Lecturers who have completed 5 years of service in between 01.01.1996 and 27.07.1998 with all monetary and other consequential benefits with effect from 01.01.1996 or from the date of completion of 5 years of service in Selection Grade as the case may be, together with interest, within a specified time framed as may be fixed by this Court. (Prayer amended vide order dated 02.11.2022 made in M.P.No.1 of 2009 in W.P.No.28031 of 2007 by MSRJ).

For Petitioner : Ms.V.Porkodi for
M/s.V.Ajoy Khose

For Respondents : Mr.J.Madana Gopal Rao,
Senior Panel Counsel for R1 and R2
Mr.P.R.Gopinathan for R3 (UGC)
Mr.R.Neethi perumal,
Government Advocate for R4 and R5.



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ORDER

Today when the matter is taken up for consideration, the learned counsel for the petitioner would submit that the issue involved in this writ petition is covered by the judgment passed by the Kerala High Court in W.A.No.2067 of 2008 dated 21.01.2009 and another decision of Kerala High Court in W.A.No.1394 of 2008 dated 10.09.2022.

2. The learned counsel for the respondents, after having verified, informed this Court that both judgments of Kerala High Court referred to above have become final. In view of the same, the members of the petitioner Association in the writ petition can't be denied the benefit, as the said decisions of the Kerala High Court dealing with the orders issued by the Government of India are equally binding on the respondents herein. The learned counsel appearing for respondents 4 and 5 submitted that the eligible members of the petitioner Association were already extended the benefit of minimum pay of Rs.14,940/-.

3. In the light of the above, the writ petition stands disposed of in terms of the above judgments passed by the Kerala High Court. Accordingly, the



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respondents are directed to extend the minimum pay of Rs.14,940/- to all Selection Grade Lecturers, who were in that grade as on 01.01.1996 or on the date prior to that, on completion of 5 years of service in that grade, if not already extended. No costs. Consequently, connected miscellaneous petitions are closed.

29.08.2024

Speaking (or) Non Speaking Order
Index : Yes/ No
shk

To

1. The Government of India,
rep. by its Secretary
Ministry of Human Resources



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Development
Department of Education
New Delhi.

- 2.The Government of India,
rep. by its Secretary
Ministry of Finance
New Delhi.
- 3.The University Grants Commission,
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MUMMINENI SUDHEER KUMAR, J.

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