



W.P.No.34586 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.07.2024

CORAM

THE HONOURABLE Mrs. JUSTICE R.KALAIMATHI

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1. N.Veeramani
2. M.Selvamani
3. K. Selvam
4. D. Arasu
5. M. Sathasivam
6. H. Thiagaraji
7. M. Shanmugam
8. P. Balasubramanian
9. T. Dhayalan
10. V. Murugesan
11. S. Sambandham
12. G. Ramalingam
13. K. Ramadoss
14. R. Subramanian
15. K. Sambandam

...Petitioners

vs.

1. State of Tamil Nadu
represented by the Secretary to Government,
Finance (Pay Cell) Department,
Secretariat,
Chennai – 600 009



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2. The Commissioner of Dairy Development,
Madhavaram Milk Colony,
Chennai – 600 051

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing respondent no.2 to grant the revised pay scales of Rs.5000-8000 [Selection Grade] and Rs.5500-9000 [Special Grade] to the petitioners as per the Tamil Nadu Revised Scales of Pay Rules, 1998 with all consequential service benefits.

For Petitioners	: No Appearance
For Respondents	: Mr.S.Rajesh Government Advocate

ORDER

The petitioners are not represented.

2. Mr.S.Rajesh, learned Government Advocate appearing for the respondents is present.

3. A direction is sought for to grant the revised pay scale of Rs.5,000/- - Rs.8,000/- [Selection Grade] and Rs.5,500 – Rs.9,000/- [Special Grade] to the petitioner as per the Tamil Nadu Revised Scales of Pay Rules, 1998 with all consequential benefits.



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4. The Judgment of the Hon'ble Apex Court in *Civil Appeal Nos.9533 - 9537 of 2019 [P.Singaravelan and Others etc., vs. The District Collector, Tiruppur and Others etc.,]* was referred by the learned Government Advocate.

5. The issue hinges on the interpretation of G.O.Ms.No.162, the Tamil Nadu Revised Scales of Pay Rules, 1998, wherein, 25 standard Pay Scales on a Pay Scale to Pay Scale basis the State Government Employees and Teachers is revised. Schedule 1 to the 1998, Rules, indicated the Revised Pay Scales, whereas, Schedule II, specified the Selection Grade and Special Grade Pay Scales applicable for the revised ordinary Grade Post.

6. It is settled by this Court and by the Apex Court that, though the drivers do not have any promotional avenues, Selection Grade and Special Grade Pay Scales, under Schedule II would apply, when they complete 10 and 20 years of service, respectively.

7. The issue relates to the entries under Schedule I and Schedule II applicable to the post of drivers. The Hon'ble Supreme Court has concluded that in terms of G.O.Ms.No.162, that the Pay Scales applicable



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to the drivers employed in the State Government as per Serial No.6 of Schedule II to the 1998 Rules i.e., Rs.4,000/- - Rs.6,000/- and Rs.4,300/- - Rs.6,000/- respectively.

8. The Hon'ble Supreme Court has observed that drivers have no promotional avenues. Therefore, the 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 namely at Rs.3200/- - Rs.4900/-, Rs.4000/- - Rs.6000/- and Rs.4300/- - Rs.6000/- respectively.

9. Based on the aforesaid discussions, the petitioner has utterly failed to make out the case. Hence, this writ petition is dismissed as devoid of merits. There is no order as to costs. Consequently, connected miscellaneous petition stands closed.

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Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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R.KALAIMATHI, J.

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To

1. State of Tamil Nadu
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2. The Commissioner of Dairy Development,
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