



W.P.No.7961 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.7961 of 2020

V.Seeman

...Petitioner

-Vs-

1. The State of Tamil Nadu
Rep. by its Secretary to Government,
Finance (Pension) Department,
Secretariat,
Chennai – 9.

2. The Commissioner of Treasuries
and Accounts,
Saidapet, Chennai – 15.

3. The Treasury Officer,
District Treasury,
Cuddalore – 607 001,
Cuddalore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to grant revised selection grade scale of pay Rs.9300-34800+4200 to the petitioner as per the government letter No.63305/Pay Cell/2010-1, Finance (PC) Department, dated 08.11.2010 with all consequential benefits as was given to others.



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For Petitioner : Mr.K.Arumugam

For Respondents : Mr.N.Naveen Kumar
Government Advocate

ORDER

This writ petition has been filed for direction directing the respondents to grant revised selection grade scale of pay Rs.9300-34800+4200 to the petitioner as per the government letter dated 08.11.2010.

2. The petitioner was appointed as Survey-cum-Draughts man on 07.07.1984 on contract basis in Survey Department. Thereafter, he was allotted to Treasury Department and he was posted to Junior Assistant. Thereafter, the petitioner was transferred to the post of Assistant Treasury Officer, Tittagudi, Cuddalore District. After completion of ten years of service, he was awarded selection grade and his pay was fixed in the selection grade as per the government order in G.O.Ms.No.45 Finance (Pay Cell) Department dated 10.02.2011. As per the government letter dated 08.11.2010, the grade pay was fixed at Rs.9300-34800+4200. The petitioner's salary was fixed and he was granted arrears of salary.



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3. After the period of two years, based on the audit objection, ordered to recover a sum of Rs.64,284/- with 11 installments and also revised the grade pay which was already granted from Rs.4,200/- to Rs.2,800/-. Accordingly, as per the revised scale of pay, the petitioner's salary was fixed and paid. Insofar as the excess payment, it was also recovered from his salary. Thereafter, the petitioner granted special grade pay on 19.07.2014 and on attaining the age of superannuation, the petitioner was allowed to retire from service on 30.09.2014. After retirement, on 07.09.2019, once again the petitioner submitted representations to fix his pay in the selection grade scale of pay Rs.9300-34800 + 4200. Since the same was not considered, the petitioner filed the present writ petition.

4. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

5. Admittedly, the petitioner did not challenge the revision of scale of pay as well as the order of recovery, while he was in service. After the period of several years from the date of his retirement, now the



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petitioner requested to revise the scale of pay. Hence, the representation submitted by the petitioner cannot be considered and the writ petition is devoid of merits and liable to be dismissed.

6. Accordingly, the Writ Petition stands dismissed. There shall be no orders as to costs.

24.09.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No

rts



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G.K.ILANTHIRAIYAN. J.

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