



WEB COPY



W.P.No.13329 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2024

CORAM:

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

W.P.No.13329 of 2024

S.Elamurugan

...Petitioner

-Vs -

1. The Secretary to Government,  
Higher Education Department,  
Secretariat, St. George Fort,  
Chennai – 600 025.

2. The Registrar,  
Annamalai University,  
Chidambaram – 608 002.

... 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 the revised scale of pay of Rs.5,200/- - 20,200/- + grade pay Rs.1900/- with re-designation in accordance with the G.O.Ms.No.338 dated 26.08.2010.

For Petitioner : Mr.Abraham Godfrey Devaraj

For Respondents

For R1 : Mr.C.Jaya Prakash  
Government Advocate

For R2 : Gautham S. Raman  
Standing Counsel



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## **ORDER**

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This writ petition has been filed for direction, directing the respondents to grant the revised scale of pay of Rs.5,200/- - 20,200/- + grade pay Rs.1900/- with re-designation in accordance with the G.O.Ms.No.338 dated 26.08.2010.

2. The petitioner had joined as a Helper on 29.12.2004 in the second respondent university. After regularization of service, his pay was fixed in the scale of Rs.4,800-10,000 with grade pay of Rs.1,400. While being so, the government issued orders in G.O.Ms.No.338 Finance (Pay Cell) Department dated 26.08.2010, thereby revised the pay scales. Based on the said G.O., the petitioner has given a representation to the respondents on 17.10.2022, requesting them to implement the aforementioned Government Order. Since the representation has not been considered till date, the petitioner has filed this writ petition.

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



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4. At the outset, learned standing counsel appearing for the second respondent would submit that only on deputation, the petitioner is now working in the second respondent college and is only for a period of three years. He would submit that there is no skilled assistant post in the second respondent University. Further he would submit that there are already surplus posts in the second respondent University.

5. The learned counsel for the petitioner on the other hand would rely upon the aforementioned Government Orders and would submit that the petitioner is entitled for change of designation with revised scale of pay. Further, no prejudice would be caused to the respondents, if the petitioner's representation dated 17.10.2022 is considered on merits and in accordance with law.

6. Considering the above facts and circumstances, this Court without expressing any opinion on the merits of the case, directs the second respondent to pass final orders on the petitioner's representation dated 17.10.2022 seeking for change of designation of the petitioner and



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to extend the pay bands on merits and in accordance with law, in the light of the aforementioned Government Orders referred to supra, within a period of twelve weeks from the date of receipt of a copy of this Order.

7. With the above directions, the Writ Petition stands disposed of. There shall be no orders as to costs.

03.07.2024

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

rts



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To

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**G.K.ILANTHIRAIYAN. J.**

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