



W.P.Nos.13115 & 13116 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.02.2024

CORAM

**THE HONOURABLE MS.JUSTICE R.N.MANJULA**

**W.P.Nos.13115 & 13116 of 2020**

|                 |                                        |
|-----------------|----------------------------------------|
| V.K.Sattanathan | ... Petitioner in W.P.No.13115 of 2020 |
| R.Saravanan     | ... Petitioner in W.P.No.13116 of 2020 |

Vs.

1.The Government of Tamil Nadu,  
Rep by the Secretary to Government,  
School Education Department,  
Fort St.George,  
Chennai 600 009.

2.The Director of School Education,  
College Road,  
Chennai 600 006.

3.The Joint Director of Higher  
Secondary (Vocational Education),  
College Road,  
Chennai 600 006.

... Respondents in both W.Ps.

**Common Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to grant time scale of pay of Rs.2000-3500 to the petitioner from the date of regularisation in the post of Vocational Instructors in Commerce group and to grant arrears of salary.



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In both W.Ps.  
For Petitioner : Mr.R.Saseetharan

For Respondents : Mr.P.Gurunathan,  
Additional Government Pleader

### **COMMON ORDER**

These Writ Petitions have been filed seeking issuance of a Writ of Mandamus to direct the respondents to grant time scale of pay of Rs.2000-3500 to the petitioner from the date of regularisation in the post of Vocational Instructors in Commerce group and to grant arrears of salary.

2. Heard Mr.R.Saseetharan, learned counsel for the petitioners and Mr.P.Gurunathan, learned Additional Government Pleader for the respondents.

3. The petitioners got appointed as Vocational Instructor on 16.08.1985 and 21.09.1988 and their services have been regularised in the said post with effect from 16.10.1992 and 01.04.1990 respectively in the regular time scale of Rs.1400 -2600. As per the Government Order in G.O.Ms.No.840 dated 13.07.1990, the scale of pay should be Rs.2000-



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3500, in view of the 5th pay commission pay revision. Similarly placed person has been given with the benefit by virtue of the order dated 05.01.2010 made in W.P.No.32121 of 2006. The respondents challenged the said order by way of preferring a Writ Appeal and the Writ Appeal was also rejected.

4. However, the learned Additional Government Pleader appearing for the respondents submitted that in the case referred above, the petitioner is a teaching staff and the petitioner in this Writ Petition is a non-teaching staff.

5. In fact, the Computer Instructor can take class for vocational stream and the vocational teacher has also been extended with the benefit of 5th pay commission and his salary has been revised as Rs.2000 -3500. In fact in the above decision relied by the petitioners, it is seen that the teacher who got the benefit is from vocational stream. Since the petitioners are Computer Instructors and they are also taking classes for +2 students, their services should also be recognised as teaching service



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or the teaching staff of vocational stream. Since the similarly placed person has already been given with the benefit and that has been upheld by the orders of this Court, the Writ Petitions are deserved to be allowed.

6. In view of the above stated reasons, these Writ Petitions are allowed and the respondents are directed to grant time scale of pay of Rs.2000-3500 to the petitioners from the date of regularisation in the post of Vocational Instructor in Commerce group with all attendant benefits within a period of six weeks from the date of receipt of a copy of this order. No costs.

**19.02.2024**

Index : Yes /No  
Internet : Yes/No  
Speaking / Non-speaking  
Neutral Citation : Yes / No  
vum



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To

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**R.N.MANJULA, J.**

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