



W.P.No.28819 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 03.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

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- 1.S.Nehru
- 2.S.Sathasivam
- 3.M.Nagammal
- 4.C.Murugesan
- 5.P.Senthamizh Selvi
- 6.K.Eswaramurthy
- 7.P.Vanitha
- 8.S.Alamelumangai
- 9.B.Usha
- 10.G.Yasodha
- 11.N.Radhai

.. Petitioners

Vs.

- 1.The Principal Secretary to the Government,
Finance Department,
Fort St. George,
Chennai – 600 009.



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2.The Principal Secretary to the Government,
School Education Department,
Fort St. George, Chennai – 600 009.

3.The Commissioner of School Education,
Directorate of School Education,
DPI Complex College Road,
Chennai.

4.The Joint Director (Vocational),
Directorate of School Education,
DPI Complex College Road,
Chennai – 600 006.

5.The Chief Educational Officer,
Erode District, Erode.

6.The Accountant General,
Office of the Accountant General (A&E),
361, Anna Salai,
Teynampet, Chennai – 600 018.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to extend the benefits of Additional Fitment table issued in Government vide Letter No.51082 / Paycell / 2010-1, dated 15.09.2010 as per Rule 4(i) & (iii) of the Tamil Nadu Revised Scale Pay Rules, 2009 and consequently revise the pensionary benefits of writ petitioners with all monetary benefits within the stipulated time that may be fixed by this Court.

For petitioners : Mr.M.Saravanakumar

For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader



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ORDER

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This writ petition has been filed for the issue of writ of mandamus directing the respondents to extend the benefits of Additional Fitment table issued in Government vide Letter dated 15.09.2010 as per Rule 4(i) & (iii) of the Tamil Nadu Revised Scale of Pay Rules, 2009 and consequently revise the pensionary benefits of the petitioners with all monetary benefits within a stipulated time.

2.Heard the learned counsel for the petitioners and the learned Special Government Pleader for the respondents.

3.The case of the petitioners is that the they are Vocational Teachers. The 1st respondent implemented the 6th pay commission and the revised pay was implemented with effect from 01.01.2006. Consequent upon the implementation of the 6th pay commission, the Government issued Tamil Nadu Revised Scale of Pay Rules, 2009. The specific case of the petitioners is that they are entitled to fix the pay under Rule 4(i) & (iii) of the said rules. However, the said benefit was not extended to the petitioners.

4.The further case of the petitioners is that the issue that has now



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been raised by the petitioners has already been considered in two earlier orders passed by this Court in W.P.No.27666 of 2019 dated 16.09.2019 and W.P.No.15570, etc., of 2021 dated 29.02.2024. A representation was made by the Association in this regard and there was no response. Left with no other alternate, the present writ petition has been filed before this Court.

5.Taking into consideration the facts and circumstances of the case and the materials placed before this Court and also considering the earlier orders passed by this Court in W.P.No.27666 of 2019 dated 16.09.2019 and W.P.No.15570, etc., of 2021 dated 29.02.2024, there shall be a direction to the petitioners to submit individual representation to the respondents 1 & 2 along with all the relevant documents and also a copy of this order. On receipt of the same, those representations shall be considered on its own merits and in accordance with law in line with the earlier orders passed by this Court in W.P.No.27666 of 2019 dated 16.09.2019 and W.P.No.15570, etc., of 2021 dated 29.02.2024 and a final decision shall be taken within a period of twelve (12) weeks from the date of receipt of the individual representations from the petitioners.

6.Accordingly, this Writ Petition is disposed of with the above



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directions. No costs.

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No

To

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- 4.The Joint Director (Vocational),
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- 5.The Chief Educational Officer,
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- 6.The Accountant General,
Office of the Accountant General (A&E),
361, Anna Salai, Teynampet, Chennai – 600 018.

N.ANAND VENKATESH, J.



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