



W.P.No.32094 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.32094 of 2024

1.N.Sreenivasan,
Retired Superintendent,
District Forest Office, Vellore District,
Vellore – 4.

2.A.D.Munusamy

3.Loganayagi

.. Petitioners

Vs.

The Government of Tamil Nadu,
Represented by Secretary to Government,
Finance Department,
Secretariat, Chennai – 600 009.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondent to issue orders for implementing the scale of pay of Rs.7000-11500 with effect from 12.12.2007 by issuing Fitment Table in respect of Revision of Scale of Pay made to Superintendents in Tamil Nadu Ministerial Service mentioned in para 2(ii) of G.O.Ms.No.234 Finance (Pay Cell)



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Department dated 01.06.2009 and to pay the arrears accruing on account of pay revision as per recommendation made by the Hon'ble Justice A.K.Rajan, in his report of Administration Reforms Committee Report (Second and Final) 2008 in Para 04.02.06 with in a stipulated time may be fixed by this Court.

For Petitioners : Mr.T.Dharani
For Respondent : Mr.U.Baranidharan
Additional Government Pleader

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents to issue orders by implementing the scale of pay of Rs.7000 – 11500 with effect from 12.12.2007 by issuing Fitment Table in respect of the revision of scale of pay to Superintendents in Tamil Nadu Ministerial Service mentioned in G.O.Ms.No.234, dated 01.06.2009 and to pay the arrears within a time stipulated by this Court.

2.Heard the learned counsel for the petitioners and the learned Additional Government Pleader for the respondent.



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3.This Court had an occasion to deal with the same issue in a earlier writ petition filed in W.P.No.30241 of 2024. This Court, after considering the entire materials, passed the following order:

“5. The further case of the petitioners is that after several demands from the employees and various orders passed by the Court, the Government fixed the pay scale on par with the juniors. The Superintendents were aggrieved by the scale of pay fixed for the Assistants since the Assistant Section Officers were fixed at a higher scale of pay with effect from 01.06.1988. Applications came to be filed before the Tribunal for revision of scale of pay for Superintendents with all consequential benefits. The applications also came to be allowed by an order dated 17.04.1996 and a direction was given to the Government to fix the scale of pay at Rs.1820-3200 to the Superintendents with effect from 01.06.1988 with all consequential benefits. Ultimately, that matter reached the Apex Court and the Apex Court, through order dated 18.07.2000, directed to fix the pay scale of Superintendents in the Ministerial cadre



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bearing in mind the fact that they were all along being given a higher scale of pay than the Assistant Section Officer of the Secretariat Cadre. The Government issued G.O.(Ms) No.234, dated 01.06.2009 and the Revised Scale of Pay Rules, 2009.

6. The grievance of the petitioners is that the Government has not implemented the scale of Rs.7000-11500 with effect from 12.12.2007 due to non-issuance of Government Orders in this regard and also non-issuance of fitment table. However, the same has been done for the other posts. The representations given in this regard did not evoke any response. It is under these circumstances, the present writ petition has been filed.

7. Taking into consideration the facts and circumstances of the case and the nature of grievance expressed by the petitioners and the earlier orders passed by the Court and the Government Order, there shall be a direction to the petitioners to submit fresh individual representations along with all relevant documents and also a copy of this order. The



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same shall be dealt with on its own merits and in accordance with law and final orders shall be passed by the respondent within a period of twelve (12) weeks from the date of receipt of fresh representation from each of the petitioner.”

4.In the light of the above order, there shall be a direction to the petitioner to submit a fresh representation to the respondent and the same shall be dealt with on its own merits and in accordance with law and final orders shall be passed within a period of twelve (12) weeks from the date of receipt of the fresh representation from the petitioner.

5.In the result, this Writ Petition is disposed of with the above directions. No costs.

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



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N.ANAND VENKATESH, J.

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To

The Government of Tamil Nadu,
Represented by Secretary to Government,
Finance Department,
Secretariat, Chennai – 600 009.

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