



WP(MD) Nos.13972 & 13973 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) Nos.13972 & 13973 of 2024

A.Karuppannan ... Petitioner in W.P.(MD) No.13972 of 2024

S.John Xavier Britto ... Petitioner in W.P.(MD) No.13973 of 2024

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Finance Department,
Fort St. George,
Chennai ? 600 009.

2. The State of Tamil Nadu,
Rep. by its Secretary to Government,
School Education Department,
Fort St. George,
Chennai ? 600 009.



WP(MD) Nos.13972 & 13973 of 2024

3. The Director of School Education,
DPI Compound, College Road,
Chennai -? 600 006.

4. The Joint Director (Vocational),
Directorate of School Education,
DPI Compound, College Road,
Chennai -? 600 006.

....Respondents in both petitions

COMMON PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to re-fix the scale of pay of the petitioners at Rs.2000-3500 w.e.f.16.10.1992 on par with the scale of pay sanctioned to Mr.Narayanasami under G.O.Ms.No.327 dated 18.11.2013.

In both petitions

For Petitioners : Mr.R.Saravanan

For Respondents : Mr.T.Amjad Khan

Government Advocate

ORDER

The petitioners have filed these writ petitions to direct the respondents to re-fix their scale of pay on par with the scale of pay



WP(MD) Nos.13972 & 13973 of 2024

sanctioned to one G.Narayanasami under G.O.Ms.No.327 dated 18.11.2013.

2. Heard Mr.R.Saravanan, learned counsel for the petitioners, and Mr.T.Amjad Khan, learned Government Advocate appearing for the respondents.

3. By consent of both parties, these writ petitions are taken up for final disposal at the stage of admission itself.

4. The petitioners are the Vocational Instructors who were initially appointed on temporary basis and thereafter got regularised. Similarly placed persons in W.P.(MD) No.5766 of 2008, an order has been passed to grant the benefit of equal time scale of pay in accordance with G.O.Ms.No.840 Finance (Pay Commission) dated 31.07.1990. The writ appeal challenging the said writ petition got dismissed. In fact the Special Leave Petition filed challenging the said writ appeal has also been dismissed by the Hon'ble Supreme Court. By relying on the above orders, the writ petition in W.P.No.9712 of 2014 was allowed and



WP(MD) Nos.13972 & 13973 of 2024

the petitioners were permitted to give fresh representation to the third respondent therein. Accordingly, the petitioners have given a representation and so far the same has not been considered.

5. The issue raised in this writ petition is no longer *res integra* in view of the order passed by this Court in W.P.No.6655 of 2020 dated 05.03.2024. While dealing with the same issue, this Court has observed in paragraph Nos.4 and 5 held as follows:-

“4. The petitioners could have filed a contempt petition for not following the earlier order in W.P.No. 10801/2014. Despite orders have been categorically passed to consider the representation of the petitioners, the respondents had not only obeyed the orders of the Court but also stated in the counter that the facts were not properly placed before this Court in the matter of the said G.Narayanasami. As on today, no review application has been filed against SLP (CC)No.22874/2012. Hence, the respondents cannot harp upon the said submission for not passing any orders on the representations of the petitioners.

5. Since various orders have been passed and the petitioners have filed several litigations for seeking



WP(MD) Nos.13972 & 13973 of 2024

the same relief, the respondents are directed to pass orders on the representation of the petitioners and pass suitable orders on par with the orders passed in favour of the said G.Narayanasami as per G.O.Ms.No. 327 dated 18.11.2013, within a period of four weeks from the date of receipt of a copy of this order.”

6. In view of the above, these Writ Petitions are **disposed of** with a direction to the respondents to pass orders on the representations of the petitioners dated 01.04.2024 and 27.04.2024 and pass suitable orders on par with the orders passed in favour of the said G.Narayanasami as per G.O.Ms.No.327 dated 18.11.2013, within a period of four weeks from the date of receipt of a copy of this order. No costs.

28.06.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No

RM



WP(MD) Nos.13972 & 13973 of 2024

To
WEB COPY

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WP(MD) Nos.13972 & 13973 of 2024

R.N.MANJULA, J.

RM

W.P.(MD)Nos.13972 & 13973 of 2024

28.06.2024