



*W.P.(MD)No.19071 of 2024*

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 12.12.2024**

**CORAM:  
THE HON'BLE MR JUSTICE R.VIJAYAKUMAR**

**W.P.(MD)No.19071 of 2024**

Ganapathiammal

... Petitioner

Vs.

1.The State of Tamil Nadu  
Represented by the Secretary to the Government  
Finance Department  
Fort St.George  
Chennai 600 009

2.Personal Assistant(Accounts) to the District Collector  
Tirunelveli District  
Tirunelveli

3.The District Revenue Officer  
Tirunelveli District  
Tirunelveli

4.The Special Tahsildar (L.A)  
SIPCOT Solar Power  
Unit-6  
Tirunelveli District

5.The District Treasury Officer  
Tirunelveli District  
Tirunelveli



*W.P.(MD)No.19071 of 2024*

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6.The Sub Treasury Officer  
Tirunelveli District  
Tirunelveli

.....Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus directing the respondents to implement the third respondent's order of revised pay scale to the petitioner as per G.O.Ms.No.340 dated 26.08.2010 which was followed in the fourth respondent's order vide his proceeding number Na.K.A2/02/2021 dated 05.01.2023 within a time stipulated by this Court.

For Petitioner : Mr.K.P.Sankarakumarakuruparan

For Respondents : Mr.A.Baskaran  
Additional Government Pleader

### **ORDER**

The present writ petition has been filed by a typist seeking a mandamus directing the respondents to implement the third respondent's order of revised pay scale as per G.O.Ms.No.340 Finance (Pay Cell) Department, dated 26.08.2010.

2.According to the learned counsel appearing for the writ petitioner, TNPSC has called for applications from the eligible candidates for appointment to the post of typist and steno typist vide Notification No.135 of 2007. The



*W.P.(MD)No.19071 of 2024*

petitioner had appeared in the written examination on 27.01.2008. After completion of selection process, a list of the selected candidates was published on 07.11.2008 and the petitioner had participated in the certificate verification in the year 2008. However, due to administrative delay, the appointment order was issued only on 26.06.2009.

3.The petitioner had further contended that the Government has issued G.O.Ms.No.234 Finance (Pay Cell) Department dated 01.06.2009 accepting the 6<sup>th</sup> pay commission recommendation. In order to rectify the pay anomaly, an One Man Commission was appointed. Accepting the report of the One Man Commission, G.O.Ms.No.340 Finance (Pay Cell) Department dated 26.08.2010 came to be issued wherein the benefits under 6<sup>th</sup> pay commission was extended to all those who were selected prior to 01.06.2009 and appointed on or after 01.06.2009 due to administrative reasons.

4.The learned counsel for the petitioner contended that the petitioner having been selected prior to 01.06.2009, but appointed only on 26.06.2009 is entitled to the said benefit. Hence, the petitioner has given a representation to the respondents on 25.07.2024. Since there is no response, the present writ petition has been filed.



*W.P.(MD)No.19071 of 2024*

WEB COPY

5.Per contra, the learned Additional Government Pleader appearing for the respondents herein relying upon Paragraph No.22 of the counter had contended that there is no provision in the Tamil Nadu Revised Scales of Pay Rules, 2009 to sanction pay and allowances prior to the date on which a Government servant joins duty. Therefore, the petitioner having joined duty in the year 2010, cannot claim any monetary benefit based upon G.O.Ms.234 Finance (Pay Cell) Department, dated 01.06.2009 or G.O.Ms.No.340 Finance (Pay Cell) Department dated 26.08.2010.

6.I have considered the submissions made on either side and perused the material records.

7.The present writ petition has been filed seeking benefits under G.O.Ms.No.340 Finance (Pay Cell) Department dated 26.08.2010. A perusal of the above said G.O.reveals that the benefits under the 6<sup>th</sup> pay commission are extended to all those who were selected prior to 01.06.2009 but who were issued with an appointment order after 01.06.2009 due to administrative reasons. The case of the petitioner squarely falls within the parameters laid down under the



*W.P.(MD)No.19071 of 2024*

above said Government Order. However, the petitioner would be entitled to the monetary benefits of the above said Government Order only from the date on which they have joined duty.

8. With the above said clarifications, the writ petition stands allowed. No costs.

**12.12.2024**

Index : Yes/No  
Internet : Yes/No  
NCC: : Yes/No  
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*W.P.(MD)No.19071 of 2024*

**R.VIJAYAKUMAR, J.**

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**W.P.(MD)No.19071 of 2024**

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