



W.A(MD)No.264 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2024

CORAM:

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

W.A(MD)No.264 of 2024

A.Rajagopal

... Appellant

-VS-

1. The Director General of Police,
Mylapore,
Chennai-4.

2. The Deputy Inspector General of Police,
Tirunelveli Range,
Palayamkottai,
Tirunelveli District.

3. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

... Respondents

PRAYER: Appeal filed under Clause 15 of Letters patent, against the order dated 07.04.2022 passed in WP(MD)No.26254 of 2019 on the file of this Court.

For Appellant : Mr.A.Gandiappan

For Respondents : Mr.T.Amjadkhan, Government Advocate



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J U D G M E N T

[Judgment of the Court was made by The Hon'ble CHIEF JUSTICE]

We have heard Mr.A.Gandiappan, learned counsel appearing for the appellant and Mr.T.Amjadkhan, learned Government Advocate appearing for the respondents.

2. The appellant/writ petitioner sought stepping up of his pay on par with his juniors. The writ petition filed by the appellant was dismissed.

3. Learned counsel appearing for the appellant submits that equal pay for equal work is the rule. The juniors of the appellant are paid more than the appellant. The appellant was enlisted in the year 1981 and his juniors were enlisted in between the years 1986 and 1989. Still the appellant is paid less than his juniors. According to the learned counsel, even the Government under Letter (Ms) No.63, dated 06.02.2019 had observed that generally in most of the cases where the posts have been upgraded to next category, fixation under FR 22(B), including exercising option under 8th Proviso, is allowed.



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4. There cannot be any dispute with the proposition that 'all things being equal', a senior cannot be paid less than the junior. At the same time, if a junior has got a better qualification, he would be entitled for additional increments because of his qualification then, the senior may not have a reason to be aggrieved.

5. The appellant is SSLC failed. The persons who were quoted by the appellant in the representation had qualification of SSLC for which they got three additional increments. The learned Single Judge has not committed any error in passing the impugned order.

6. The Writ Appeal as such stands disposed of. No costs.

[S.V.G., C.J.]

[G.I., J.]

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Index : Yes / No
Neutral Citation : Yes / No
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