



WP.No.6073 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.03.2025

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P No.6073 of 2018

WEB COPY

1.N.Thangaraj
38 B-5, Vasantham Nagar,
Dasampalayam Road,
Kattur, Mettupalayam,
Coimbatore District-641 305.

2. B.Ravichandran,
155/C-9, Anandagiri,Uthagamandalam,
The Nilgiris District- 643001.

3. R.Ravikumar
11/28, II Street,
Samanathapuram,Kolathur,
Chennai- 600 099.

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Petitioners

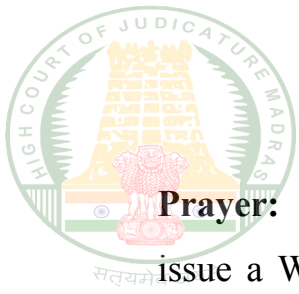
/vs/

1. The Government Of Tamilnadu
Rep By The Principal Secretary To Government
Finance (pay Cell) Department Fort St
George Chennai- 600 009.

2. The Member Secretary,
Tamilnadu Pollution Control Board 76,
Anna Salai, Guindy,
Chennai- 600 032.

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Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the 2nd respondent in Memo No. TNPCB / Per / P-7 / 032035 / 2016 dt 3.7.2017 and quash the same and direct the respondents to fix their pay in the Pay Band of Rs. 5200 - 20200 + Grade Pay Rs. 2400 (Ordinary Grade) with effect from 1.1.2006 (17.2.2012 in the case of the 2nd petitioner) and PB Rs.9300 - 34800 + Grade Pay Rs. 4200 (Selection Grade) with effect from the date of movement of petitioners 1 and 3 to selection grade and grant them all consequential benefits

For Petitioners : Mr.P.Mohanraj

For Respondents : M/s.Madhuridorthi Reddy,
Standing counsel

ORDER

Heard Mr.P.Mohanraj, learned counsel for the petitioners and M/s.Madhuridorthi Reddy, learned standing counsel for the respondents and perused the materials available on record.

2. This Writ Petition has been filed to call for the records pertaining to the 2nd respondent's Memo No. TNPCB /Per/ P-7/032035/2016 dated 03.07.2017 and quash the same and direct the respondents to fix their pay in the Pay Band of Rs. 5200 - 20200 + Grade Pay Rs. 2400 (Ordinary Grade) with effect from 1.1.2006



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(17.2.2012 in the case of the 2nd petitioner) and Pay Band Rs.9300 - 34800 +

Grade Pay Rs. 4200 (Selection Grade) with effect from the date of movement of petitioners 1 and 3 to selection grade and grant them all consequential benefits.

3. However, during the pendency of this writ petition, on 19.12.2023, proceedings were issued on the decision to revise the grade pay for the post of Field Assistant from Rs. 5200-20200 + 2000 Grade Pay to Rs. 5200-20200 + 2400 Grade Pay and revised the level of pay at Rs. 19500-71900 in the selection grade pay of Rs. 9300-34800+ 4200 Grade Pay with effect from 01.03.2009 notionally and monetary benefit from 01.03.2011.

4. In pursuant to this, recommendations have been made to the government. The 1st respondent has sent the recommendations to the government to approve the same. It is learnt that the 1st respondent has issued the government Lr No. 2601/EC.2/2024-2 dated 09.12.2024 in consultation with the Finance Department and directed the Member Secretary of the Tamil Nadu Pollution Control Board to take the following actions:

"(a) address the identified challenges by revising the grade pay of 'Lab Assistants' downward to align with the Government's instructions, clarifications, and relevant Government Order,



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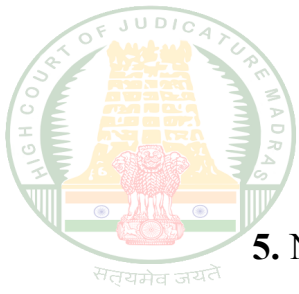
rather than elevating the pay of 'Field Assistants', duly following the guidelines outlined in Government Letter No.20281/Fin(BPE)/2018, dt.19.04.2018;

(b) refrain from recovering any excess payments made to serving or retired Lab Assistants and Field Assistants, as these employees fall under Class III and Class IV categories;

(c) initiate disciplinary action against the officers responsible for presenting a misleading agenda to the Board, which led to the erroneous implementation of pay fixation for Lab Assistants and caused significant loss to Tamil Nadu Pollution Control Board;

(d) address systemic gaps by strengthening internal controls and the internal audit system and ordering a special audit to review all pay fixations and related financial matters comprehensively. This will enhance accountability, identify irregularities, and prevent the recurrence of such issues in the future;

(e) explore the possibility of revising the Tamil Nadu Pollution Control Board Service Regulations, 2010, expeditiously to remove the Lab Assistant post as one of the feeder categories for promotion to the post of Field Assistant."



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5. Now, it is up to the 2nd respondent, Member Secretary, to take a call and pass appropriate orders. Once the order is passed in the light of the instructions given by the government, it is up to the petitioner to either accept the same or challenge the same in the manner known to law. As the orders that might be passed on the recommendations of the government will have an impact not only on the petitioners but also on the individuals similarly placed.

The Writ petition is **disposed of** with the above observation. No costs.

14.03.2025

Index : Yes
Internet : Yes/No
Speaking : Non-Speaking Order
Neutral: Yes/No
jrs



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R.N.MANJULA, J.
jrs

To

1. The Principal Secretary To Government
Government Of Tamilnadu
Finance (pay Cell) Department,
Fort St George, Chennai- 600 009.
2. The Member Secretary,
Tamilnadu Pollution Control Board 76,
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