



WEB COPY

W.P.No. 4478 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.No. 4478 of 2025
and
W.M.P.Nos. 4981 & 4983 of 2025

G.Neela

...Petitioner

Vs.

1.The Secretary to Government,
Home (Courts-VI) Department,
Fort St.George, Chennai – 9.

2.The Secretary to Government,
Labour Welfare & Skill Development Department,
Fort St.George, Chennai – 9.

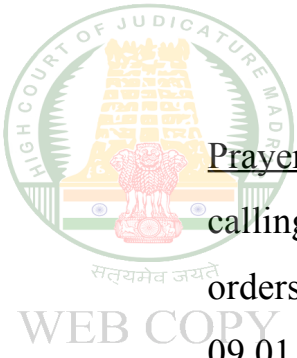
3.The Registrar General,
High Court, Madras.

4.The Sessions Judge,
Special Court No.I for Trial of Criminal Cases
Relating to elected MPs & MLAs of Tamil Nadu,
'Singaravelar Maaligai', Chennai – 1.

5.The Registrar,
City Civil Court, Chennai – 1.

6.The Principal Judge,
City Civil Court, Chennai.

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India, calling for the records of the 4th respondent in connection with the impugned orders passed by him ROC.No.57/2024 dated 05.09.2024, Dis.No.19 dated 09.01.2025 and the consequential order of recovery in Dis.No.30 dated 24.01.2025, quash the same and direct the respondents to restore the pay of the petitioner which was fixed as early as 01.07.2015.

For Petitioner : Mr.K.Venkatramani, Senior Counsel

For Mr.M.Muthappan

For Respondents : Mr.M.Suresh Kumar

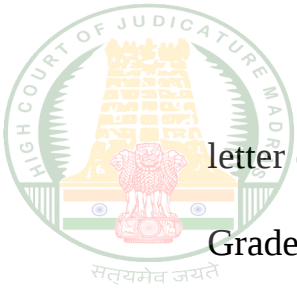
Additional Advocate General assisted by
Mr.S.John J.Raja Singh
Additional Govt. Pleader for R1 & R2
Mr.V.Vasanthakumar
Standing Counsel for R3 to R6

ORDER

(Order of the Court was made by R.SUBRAMANIAN, J.)

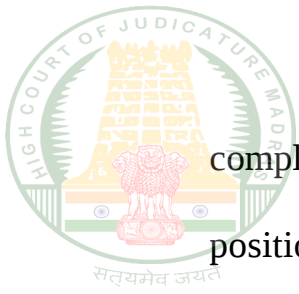
The orders of re-fixation and recovery made by the Sessions Judge in-charge of Special Court No. I for Trial of Criminal Cases related to Elected MPs / MLAs dated 05.09.2024 is under challenge.

2. The salary of the petitioner was sought to be revised based on certain communications received from the Government, particularly, the



letter dated 25.10.2023. The petitioner, who was working as a Stenographer Grade-III was promoted as Stenographer Grade-II and was again, promoted as Stenographer Grade-I, since she exercised an option for fixation of salary after the grant of annual increment which is normally, granted on 01.07.2015, her salary was fixed after the said date in the promoted post of Stenographer Grade-I. One Saraswathi, who claimed to be senior to the petitioner made a representation seeking pay parity with the petitioner. When the proposal was sent to the Government, the Government by its letter dated 25.10.2023 gave some reasons for coming to the conclusion that the pay fixation done to the petitioner was incorrect and therefore, required the employer namely, the Judicial Department to re-fix the salary of the petitioner.

3. Acting as if the Government is the boss and listening to his master's voice, the learned Principal Judge, City Civil Court issued a communication dated 28.06.2024, directing the Sessions Judge in-charge of the Special Court, where the petitioner was serving, to re-fix the salary of the petitioner as per the directions of the Government. Admittedly, the petitioner was not heard before the salary was re-fixed. Principles of natural justice have been



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completely violated by the learned Judges who man, administrative positions in the District Judiciary. The order impugned is liable to be set aside solely on the ground of violation of principles of natural justice.

4. This Writ Appeal is therefore, **allowed**, the order dated 0509.2024 of the learned Sessions Judge in-charge of the Special Court for Trial of Criminal Cases relating to Elected MPs / MLAs is quashed. The matter is remitted to the Presiding Officer. He shall issue notice to the petitioner, hear her objections and thereafter, decide in accordance with law without being influenced by any communication made by the High Court or by the Government. The Officer shall go strictly in terms of the provisions of the related service rules. No costs. Consequently, connected miscellaneous petitions are closed.

(R.S.M., J.) (K.S., J.)
03.07.2025

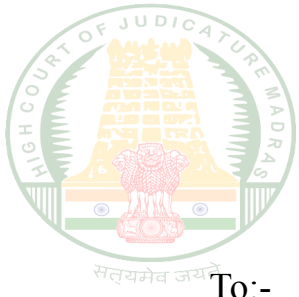
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Internet: Yes

Index: No

Speaking

Neutral Citation : No



To:-
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KKN

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