



W.P.No.9201 of 2025 etc

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos.9201, 9203, 9206, 9211, 9213, 11379, 11380, 11385, 11387, 11388, 11391, 11394, 11396, 11399, 11401, 15467, 15478, 15489, 15508, 15531, 15534, 15537, 15542, 15546, 16860, 17221, 17224, 17229, 17230, 17234, 17777, 17845, 18733 to 18737, 19160, 19169, 19173, 19177, 19178, 19180, 19183, 19185, 19187, 19189, 19190, 19192, 19312, 19318, 19323, 19326, 19331, 19332, 19674, 19682, 19687, 19688, 19690, 19693, 19694, 19695, 19700, 19701, 19703, 19719, 19722, 19723, 19724, 19725, 19729, 19733, 19735, 19736, 19739, 19777, 19808, 19812, 19815, 19816, 22576, 22578, 26046, 26079, 26090, 26050, 26059, 26072, 26073, 26078, 28866, 28868, 28869, 29889, 29891, 29904, 29908, 34759, 34761, 34769, 35327, 35332, 35336, 35341 & 35342 of 2025

and

W.M.P.Nos.12831, 12835, 12838, 12840, 12845, 12849, 12852, 12855, 12860, 12864, 17474, 17476, 17484, 17486, 17499, 17508, 17519, 17521, 17544, 17545, 17547, 17550, 17555, 17557, 17559, 17560, 17564, 17567, 19118, 19119, 19517 to 19522, 19524 to 19527, 20045, 20049, 20067, 20068, 20961 to 20970, 21434, 21436, 21439, 21440, 21441, 21442, 21444, 21445, 21447, 21448, 21449, 21452, 21453, 21456, 21457, 21450, 21460, 21462 to 21468, 21566, 21567, 21570, 21571, 21573, 21574, 21576, 21577, 21579, 21580, 21581, 21582, 22057, 22058, 22061, 22062, 22065, 22066, 22067, 22069, 22072, 22073, 22077, 22080, 22084, 22085, 22087, 22088, 22093, 22094, 22097, 22098, 22099, 22100, 22125, 22126, 22130, 22133, 22136, 22137, 22138, 22139, 22144, 22146, 22152, 22155, 22154, 22156, 22158, 22159, 22160, 22161, 22163, 22164, 22247, 22249, 22261, 22263, 22268, 22271, 22274, 22276, 22278, 22281, 29306, 29309, 29312, 29315, 29321, 29327, 29334, 29335, 29336, 29338, 29339, 29340, 29349, 29352, 29361 & 29362 of 2025

W.P.No.9201 of 2025 :-

J.Santhanam

... Petitioner

Vs.



W.P.No.9201 of 2025 etc

1. The Government of Tamil Nadu,
Rep. By Secretary to the Government,
School Education Department,
Fort St. George, Chennai – 600 009.

2. The Secretary,
Government of Tamil Nadu,
Finance Department,
Fort St. George, Chennai – 600 009.

3. The Director of School Education,
College Road, Chennai – 600 006.

4. The Joint Director of School Education
(Vocational Education)
College Road, Chennai – 600 006.

5. The Chief Educational Officer,
Vellore District, Vellore.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to apply Rule 4(i)(iii) of Tamil Nadu Revised Pay Scale Rules and fix the pay at Rs.17,060+5400 GP = Rs.22,460/- in the pay band of Rs.15,600-39100+5400 GP, with effect from 01.01.2006, notionally, with monetary benefits from 01.04.2013, and to alleviate the bunching in the pay fixation and grant arrears of pay and fix law pay drawn and revise the pensionary benefits and grant arrears of pension.

For Petitioners : Mr. R.Saseetharan

For Respondents

For R1, R3 to R5 : Mr.R.Neelakandan

Additional Advocate General

Assisted by Mrs.S.Mythreye Chandru

Special Government Pleader

For R2 : Mr.Azizulla Khan

Government Advocate



W.P.No.9201 of 2025 etc

COMMON ORDER

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These Writ Petitions have been filed challenging the order of rejection seeking fixation of pay and revised scale of pay and to pay all the consequential benefits to the petitioners by applying Rule 4(iii) of the Tamil Nadu Revised Pay Scale Rules, 2009. Some of the Writ Petitions have been filed seeking direction to the respondents to apply Rule 4(1) (iii) of the Tamil Nadu Revised Pay Scale Rules, 2009 and fix their salary with effect from 01.01.2006 notionally with monetary benefits from 01.04.2023.

2. The issues involved in all these Writ Petitions are similar in nature and therefore this Court is inclined to pass a common order.

3. All the petitioners were appointed as Vocational Teachers and they were taking classes for the Higher Secondary Vocational Stream. After completion of ten years of service, they were paid selection grade scale of pay and thereafter, they retired from service. While being so, the Government of Tamil Nadu, in order to implement the sixth pay commission with effect from 01.06.2009 with monetary benefits from 01.01.2006, issued an order in G.O.No.234 Finance (Pay Cell)

Department dated 01.06.2009.

Page 3 of 24



W.P.No.9201 of 2025 etc

4. Thereafter, the Government of Tamil Nadu issued Tamil Nadu Revision of Scales of Pay Rules, 2009 (hereinafter referred to as “the Rules”), which came into force with effect from 01.06.2009. Rule 4 of the Rules reads as follows :-

“4. Fixation of Pay in the revised pay structure:--

The initial pay of a Government employee who elects to be governed by the revised pay structure from 1 January 2006 shall be fixed separately in respect of his substantive pay in the permanent post on which he holds a lien or would have had a lien if it had not been suspended and in respect of his pay in the officiating post held by him, in the following manner, namely:--

(1) In the case of all employees :--

(i) The pay in the pay band / pay scale shall be determined by multiplying the existing basic pay as on 1-1-2006 by a factor of 1.86 and rounding off the resultant figure to the next multiple of 10.

(ii) If the minimum of the revised pay band / pay scale is more than the amount arrived at as per (i) above, the pay shall be fixed at the minimum of the revised pay band / pay scale;

(iii) Where, in the fixation of pay, the pay of Government employees drawing pay at two or more consecutive stages in the existing scale gets bunched, that is to say gets fixed, in the revised pay structure at the



W.P.No.9201 of 2025 etc

same stage in the pay band, then for every two stages so bunched, benefit of one increment shall be given so as to avoid bunching of more than two stages in the revised running pay bands. For this purpose, the increment will be calculated on the pay in the pay band only and grade pay should not be taken into account for the purpose of granting increments to alleviate bunching.

(iv) In the case of pay scales in Higher Administrative Grade (HAG) in the Pay Band 4, benefits of increments due to bunching shall be given taking into account all the stages in different pay scales in this grade.

(v) If by stepping up of the pay as above, the pay of a Government employee gets fixed at a stage in the revised pay band / pay scale (where applicable) which is higher than the stage in the revised pay an employee who was drawing pay at the next higher stage or stages in the same existing scale is fixed, the pay of the latter shall also be stepped up only to the extent by which it falls short of that of the former.

(vi) the pay in the pay band will be determined in the above manner. In addition to the pay in the pay band, grade pay corresponding to the existing scale will be payable.

NOTE:- See Illustration-1 to 9 in Schedule Ill to these rules.



W.P.No.9201 of 2025 etc

(2) *If a Government employee is on leave on 1st January 2006, he shall be entitled to the revised pay structure from that date, but the pay so fixed in the revised scale shall be admissible to him only from the date of his return to duty in the post after the expiry of leave and the period commencing on the 1st January 2006 and ending with the date of such return will count for future increment in the revised pay structure depending on whether it will count for future increments in the existing scale.*

(3) *Similarly where a Government employee is on study leave on the first day of January, 2006 he will be entitled to the benefits under these Rules from 1-1-2006 or the date of option.*

(4) *A Government employee who on the 1 January 2006 is on leave preparatory to retirement, shall be entitled to choose his pay either in his substantive post or in the officiating post in the revised scale with effect from date for the purpose of computing his gratuity and pension.*

(5) *If a Government employee was under reduction of pay or stoppage of increment as a penalty on the 1st January 2006 his pay shall be fixed in the revised pay structure on the basis of present emoluments he drew on the 1st January 2006 and he shall continue to draw the pay so fixed in the revised scale till the expiry of the*



W.P.No.9201 of 2025 etc

period of penalty. His pay in the revised scale shall be refixed immediately following the date of expiry of the period of penalty with reference to the present emoluments which he would have drawn on the 1st January, 2006 taking the fact into consideration whether the penalty awarded is with or without cumulative effect. If, for instance, a Government employee's increment falling due on the 1 January, 2006 had been postponed for a year without cumulative effect, his actual present emoluments as on the 1st January 2006 would be the basis for determination of his revised pay with effect from the 1st January, 2006 and the pay so fixed shall be in force upto the 31st December 2006. However, for purpose of determination of his pay with effect from 1st January 2007 his pay on the 1st January 2006 shall be refixed notionally based on the present emoluments which he would have received on the 1 January 2006 but for his penalty and he will get the next increment on the 15th January 2007 from that stage.

(6) If, however, the penalty of stoppage of increment due on the 1 January 2006 had been awarded with cumulative effect, the revised pay shall be fixed based on the actual present emoluments as on the 1st January 2006. There shall be no refixation of pay in this case.

(7) If a Government employee is under suspension on the 1st January 2006, or if he was discharged or



W.P.No.9201 of 2025 etc

reverted from a post before that date and is reappointed to that post after that date, he shall be entitled to the revised scales of pay only from the date on which he returns to duty in the post or from the date of his reappointment to that post.”

5. Accordingly, for the basic scale prior to 01.01.2006, the corresponding pay requires to be fixed after 01.01.2006, as per the Government Order in G.O.No.234 dated 01.06.2009. While fixing the pay, Rule 4(iii) of the Rules provides that if those who were drawing two or more consecutive stages in the existing scale i.e., prior to 01.01.2006 get bunched, then, for every two stages so bunched, one increment viz., 3% of basic pay would be given in the revised pay structure. This increment is given to avoid bunching of more than two stages in the revised running pay bands after 01.01.2006.

6. While being so, the Government of Tamil Nadu issued an order dated 17.02.2020 stating that, the Government sanctioned grade pay of Rs.5400/- to the selection grade vocational teachers, vide G.O.Ms.No.306 dated 12.09.2018 revising scale of pay as Rs. 15,600-39,100 + 5400 grade pay. This order has been challenged on the ground that the sanction of one increment for bunching of every stages in the



W.P.No.9201 of 2025 etc

existing pay band is not given to the petitioner. It would result in an anomalous situation whereby the basic pay of all the vocational teachers prior to 01.01.2006 would get fixed same revised scale of pay even after 01.01.2006. It is against the Rule 4(iii) of the Rules, resulting in reduction of pay of the senior vocational teachers.

7. The learned counsel appearing for the petitioners submitted that reviews have been filed to consider the Rules 4(1)(iii) of the Rules to the petitioners. Therefore, decision rendered in the similar matter is not binding upon the Court. In support of his contention, he relied upon the judgment of the Hon'ble Supreme Court of India reported in **(2006) 9 SCC 643** in the case of ***Union of India and anr Vs. Manik Lal Banerjee*** which held that if a decision has been rendered without taking into account the statutory provision, the same cannot be considered to be a binding precedent.

8. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

9. In the similar matter, the Hon'ble Single Judge of this Court in a batch of Writ Petition in W.P.No.15570 of 2021 etc., by an order



W.P.No.9201 of 2025 etc

29.02.2024 held that, in view of the real import of Rule 4(1)(iii) of the

Rules read with Government Letter No.51082/Pay Cell/2010-1 dated 15.09.2010 along with the additional fitment table No.15, the petitioners in that batch are entitled to the relief as prayed. Based on the said order, this Court also allowed one of the Writ Petitions filed by the vocational teacher in W.P.No.28871 of 2023 by an order dated 01.08.2024, stating that the Rule does not distinguish the pre-existing pay scales whether ordinary or selection grade. The government letter dated 08.11.2010 is clear that the Rule does not distinguish the originally scale of pay or selection grade pay scale in any manner.

10. But the respondents preferred Writ Appeals as against the order passed by this Court and the Madurai Bench of this Court in a batch of Writ Appeal in W.A(MD)No.468 of 2025 etc., by the common judgment dated 29.08.2025, allowed all the Writ Appeals and set aside the order passed by the learned Single Judge of this Court. The relevant portion of the judgment is as follows:-

“9.When the pay commission recommendations were enforced, it gave rise to certain anomalies. To examine the same, the State Government constituted a One Man Commission vide G.O.(Ms)No.449 Fiance Department dated 09.09.2009. The One Man



W.P.No.9201 of 2025 etc

Commission went into the anomalies and offered its recommendations in respect of various departments. Accepting the said recommendations, the government issued a series of government orders (ie., G.O. (Ms)No.254 Finance Department dated 26.08.2010 to G.O.(Ms)No.340 Finance Department dated 26.08.2010). For instance, G.O.(Ms)No.254 dated 26.08.2010 pertained to the post of Steno-Typist Grade 1. G.O. (Ms)No.255 dated 26.08.2010 pertained to Superintendent in Governance Household. G.O. (Ms)No.273 dated 26.08.2010 pertained to the post of Superintendent of Physical and Training Officer in the department of Employment and Training. Thus, each of the 87 government orders pertained to either a post following under common category or to a particular post in a particular department. Consequent to the revision of pay scales pursuant to the implementation of the recommendation of the One Man Commission, the scales of pay of some of the categories in various departments were elevated from one pay band to another pay band. In order to fix their pay, additional fitment tables were required. Accordingly, the Principal Secretary to Government, Finance Department, Government of Tamil Nadu issued letter dated 15.09.2010 containing additional fitment tables 1 to 17. The Heads of the department / pay fixing authority were called upon to adopt the relevant additional fitment table for fixing the

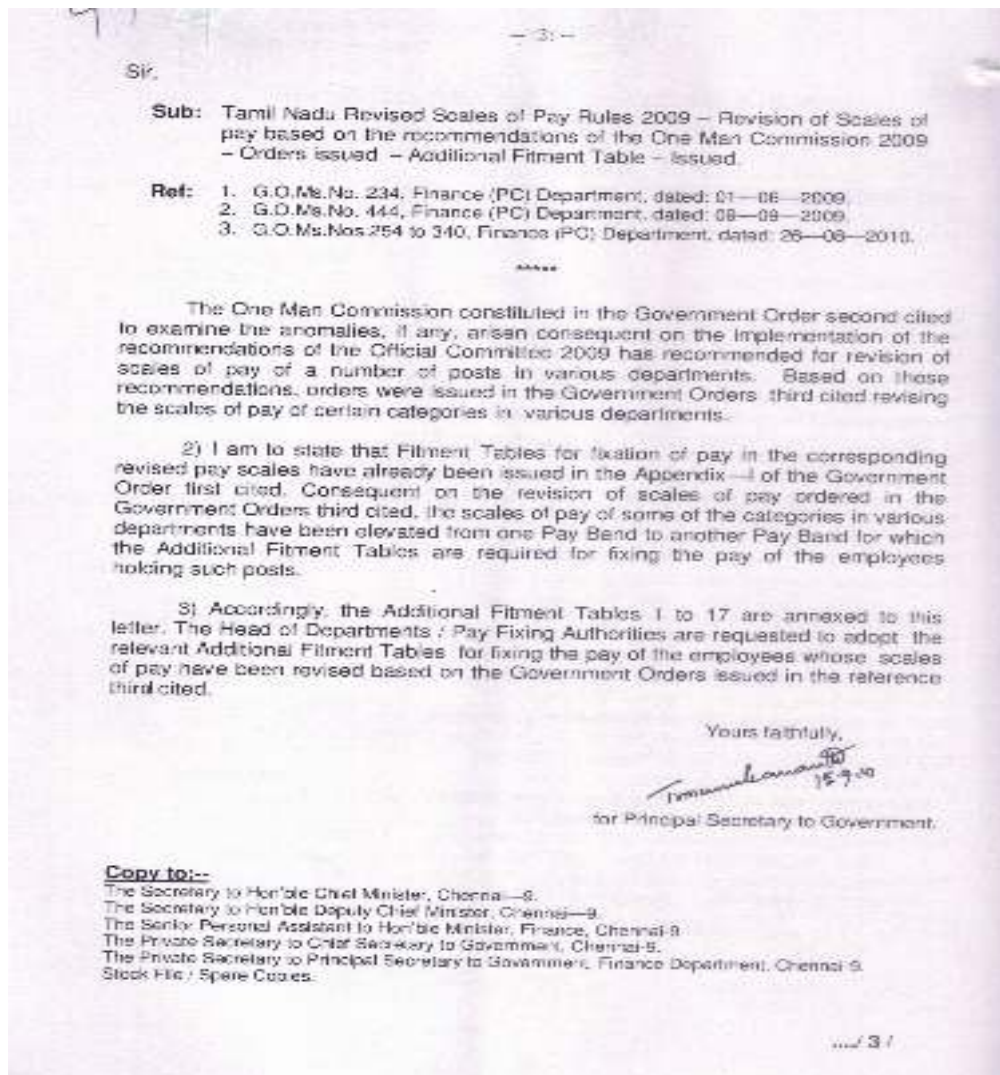


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W.P.No.9201 of 2025 etc

pay of the employees whose scales of pay have been revised based on the government orders issued vide G.O.(Ms)No.254 to G.O.(Ms)No.340 dated 26.08.2010. For the sake of easy understanding, the text of the said letter is extracted as follows:



10.From this, one can easily come to the conclusion that in order to apply the additional fitment



W.P.No.9201 of 2025 etc

table 15, it must be shown that the post of Vocational Instructors is covered in one of the government orders from G.O.(Ms)No.254 to G.O.(Ms)No.340 dated 26.08.2010. The corollary is that if the post of Vocational Instructors is not covered under any of the aforesaid 87 government orders, the question of applying the additional fitment table 15 will not arise at all.

11. Instead of approaching the issue from the above perspective, the learned Judge posed a question if Rule 4(1)(iii) is applicable. After observing that the claim of the writ petitioners rests on Rule 4(1)(iii), reference is then made to the additional fitment table 15. Upon being satisfied that the grievance of the writ petitioners is justified and that their case will fall under Rule 4(1)(iii), the learned Single Judge abruptly arrives at the conclusion that the writ petitioners are entitled to relief as sought for. In that view of the matter, the proceedings dated 17.02.2020 issued by the Secretary to Government, Education Department was set aside and the government was directed to reconsider the pay fixation with additional fitment table 15 vide order dated 29.02.2024 made in W.P.No.15570 of 2021 (C.Arumugam Vs. State of Tamil Nadu).

12. We cannot approve the aforesaid order made in W.P.No.15570 of 2021. This is for more than one reason.



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W.P.No.9201 of 2025 etc

Firstly, the learned Single Judge had failed to note that additional fitment table 15 can be applied only if it is shown that the pay band of the post in question had been elevated from one pay band to another pay band on account of implementation of the recommendations of the One Man Commission. Nowhere such a finding has been given. Secondly, according to the learned Single Judge, if Rule 4(1)(iii) is applied in its real sense, additional fitment table 15 has to be applied to the post of Vocational Instructors also. This is incorrect. There is no logical basis for linking Rule 4(1)(iii) of Tamil Nadu Revised Scale of Pay Rules, 2009 with the additional fitment tables annexed to government letter dated 15.09.2010. Thirdly, matters relating to pay fixation cannot be adjudicated by the Writ Courts since they have large financial implications. They are essentially policy decisions to be taken by the government.

13. Not all Vocational Instructors were getting the same pay as on 01.01.2006. Their pay was revised by applying the multiplying their existing basic pay as on 01.01.2006 by a factor of 1.86 and rounding off the resultant figure to the next multiple of 10. As per Rule 4(1)(ii), if the minimum of the revised pay band / pay scale is more than the amount arrived at as per the method mentioned above, it shall be fixed at the minimum of the revised pay band / pay scale. The consequence of



W.P.No.9201 of 2025 etc

adopting this method was that those who were getting higher pay as on 01.01.2006 and those who were getting lesser pay in the post of Vocational Instructors got bunched and were placed at the same level. This had to be necessarily set right. Rule 4(1)(iii) of the Tamil Nadu Revised Scale of Pay Rules, 2009 provided the solution. Since the Vocational Instructors placed their grievances complaining of anomalies, the Pay Grievance Cell was constituted under G.O.(Ms)No.123 Finance Department dated 10.04.2012. Based on its recommendations, G.O. (Ms)No.263 Finance Department dated 22.07.2013 was issued and the revision took place as follows:

<i>Name of the Post</i>	<i>Existing scale of pay + Grade pay</i>	<i>Revised scale of pay + Grade pay</i>
<i>Vocational Teachers / Instructors</i>	<i>9300 – 34800 + 4400</i>	<i>9300 – 34800 + 4600</i>

It is clear from above that the revision that was made was only in respect of grade pay. The pay band was not all at touched or revised. The pay scale or the pay band of the Vocational Instructors remained the same and it was not elevated from one level to another level. As already mentioned, only if there is revision from one pay band to higher level, the additional fitment table will apply and not otherwise. The migration from one pay band to



W.P.No.9201 of 2025 etc

higher pay band is a pre-requisite condition for invoking additional fitment table. This pre-condition has not been fulfilled in the case of Vocational Instructors. To reiterate, revision should be in the case of ordinary grade scale of pay. The ordinary grade scale of Vocational Instructors did not witness any migration to higher level consequent to the recommendation of One Man Commission vide G.O.(Ms)Nos.254 to 340 Finance Department dated 26.08.2010.

14.What was revised was only the pay scales of those Vocational Instructors who were in the selection grade. Their pay scales was revised to Rs.15,600 - 39100+ GP 5400/-. The pay scale of those Vocational Instructor in the special grade was revised to Rs.15,600 – 39100 + GP 5700/-. When the government vide letter No.66858/CMPC/2013-2 dated 22.08.2014 took the stand that the revised selection grade scale of pay for the Vocational Instructors would also be Rs.9300 – 34800 + GP 4800/-, it was quashed vide order dated 19.03.2018 in W.P.(MD)No.2654 of 2018 etc batch. The order passed in the aforesaid writ petitions was also implemented by the government vide G.O.(Ms)No.306 Finance Department dated 12.09.2018. The said government order is as follows:



W.P.No.9201 of 2025 etc

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67

ABSTRACT

W.P.(MD)Nos.2654, 2924, 2663 of 2018 and W.P.(MD)Nos.15980, 17197 of 2014 filed by Thiru.L.Natarajan and other Vocational Instructors of School Education Department – Complying orders of Hon'ble Madurai Bench of Madras High Court – Applicability of revised Selection Grade scale of pay – Orders – Issued.

Finance (CMPC) Department

G.O.Ms.No.306

Dated:12-09-2018,
Vilambi, Aavani-27,
Thiruvalluvar Aandu, 2049.

Read:

1. G.O.Ms.No.234, Finance(PC)Department, dated:01.06.2009
2. Government Letter No.63305 / PC / 2010-1, Finance Department, dated:08-11-2010.
3. G.O.Ms.No.23, Finance (PC) Department, dated:12-01-2011.
4. Government Letter No.14483 / CMPC / 2011-1, Finance Department, dated:05.01.2012.
5. G.O.Ms.No.237, Finance(PC)Department, dated:22.07.2013,
6. G.O.Ms.No.283, Finance (PC) Department, dated:22-07-2013.
7. Government Letter No.66658 / CMPC / 2013-2, Finance Department, dated:22.08.2014.
8. Orders of the Hon'ble Madurai Bench of Madras High Court in W.P.(MD)Nos.2654, 2924 and 2663 of 2018 and W.P.(MD)Nos.15980 & 17197 of 2014 dated:19.03.2018.

ORDER:

In the Government Order first read above, orders were issued to revise the scale of pay of State Government Employees / Teachers corresponding to the pre-revised pay scales notionally with effect from 01.01.2006 with monetary benefit from 01.01.2007 based on the recommendations of the Official Committee 2009. The employees on award of Selection Grade / Special Grade on completion of 10/20 years of service in the revised scales of pay were granted the benefit of one increment equal to 3% of basic pay including grade pay in the same Pay Band and Grade Pay.

2. Subsequently in the Government letter second read above, orders were issued to the effect that even in case of employees awarded Selection Grade / Special Grade between 01.01.2006 and 31.05.2009 i.e. prior to the orders issued in

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W.P.No.9201 of 2025 etc

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the Government Order first read above, they were also permitted to exercise their option to come over to the revised scales of pay on the date of their award of Selection Grade / Special Grade by foregoing the arrears entitled to them with effect from 01.01.2007, so that they were also allowed the same benefit as that of the employees who were awarded Selection Grade / Special Grade prior to 01.01.2006. In the said Government Letter, it was also ordered that the Selection Grade / Special Grade scales of pay annexed to the letter is applicable to all employees who were awarded Selection Grade / Special Grade prior to 01.01.2006 and also employees awarded Selection Grade / Special Grade between 01.01.2006 and 31.05.2009 and opting to come over to the revised scales on the date of award of Selection Grade / Special Grade. Further these Selection Grade / Special Grade scales of pay is also applicable to cases whose ordinary scales of pay have been revised based on the recommendation of One Man Commission / further orders of Government subject to the condition that if the revised Selection Grade / Special Grade scales of pay indicated in Annexure-I happens to be higher than the first level/ second level promotion posts, then in such cases, the revised Selection Grade / Special Grade should be restricted to the level of their first level and second level promotional posts respectively.

3. In the Government Order third read above, the scale of pay of BT Assistants were revised from Rs.9300-34800 + G.P. 4400 to Rs.9300-34800 + G.P. 4600 notionally with effect from 01.01.2006 with monetary benefit from 01.01.2011. As per adhoc rules, the first and second level promotion for the post of BT Assistants is Headmaster High School (Rs.9300-34800 + G.P. 4600) and Headmaster of Higher Secondary School / District Educational Officer (Rs.15600-39100 + G.P. 5700). Considering the above first level and second level promotional posts of BT Assistants, the applicable revised Selection Grade / Special Grade scale of pay of BT Assistants was indicated in the Government Letter fourth read above as follows.

BT Assistant

1. Ordinary Grade – Rs.9300-34800 + G.P. Rs.4600
2. Selection Grade – Rs.9300-34800 + G.P. Rs.4800
3. Special Grade – Rs.15600-39100 + G.P. Rs.5700

4. In the Government Order fifth read above, based on the Pay Grievance Redressal Cell an additional increment benefit (over and above the existing one increment benefit) equivalent to 3% + 3% of basic pay (Pay + Grade pay) granted to the employees on award of Selection Grade / Special Grade in the revised scales of pay implemented with effect from 01-01-2006.

5. In the Government Order sixth read above, the scale of pay of Vocational Instructors were revised from Rs.9300-34800 + G.P. 4400 to Rs.9300-34800 + G.P. 4600 notionally with effect from 01.01.2006 with monetary benefit from 01.04.2013 based on the Pay Grievance Redressal Cell recommendations. As Vocational Instructors are considered to be equivalent with BT Assistants, the Selection Grade pay was also regulated in the scale of pay of Rs.9300-34800 + G.P. 4800 and the same clarified vide letter seventh read above.

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W.P.No.9201 of 2025 etc

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6. In the judgment order eighth read above, orders were passed by the Hon'ble Madurai Bench of Madras High Court dated:19.03.2018 to allow the Selection Grade scale of pay of Vocational Instructors at Rs.15600-39100 + G.P. Rs.5400 notionally with effect from 01.01.2006 with monetary benefit from 01.04.2013.

7. As there are no promotional avenues for the post of Vocational Instructors, it would not be appropriate to restrict their Selection Grade / Special Grade scales of pay as that of BT Assistant who are having promotional prospects of elevating to the post of Head Master High School / Head Master Higher Secondary School / District Educational Officer. In the light of the above facts, the Government has decided to implement the orders of the Madurai Bench of Madras High Court dated:19.03.2018 in W.P.(MD).Nos.2654, 2924 & 2663 of 2018 and 15980 & 17197 of 2014. Accordingly, the Government direct that the Selection Grade Scale of Pay of Vocational Instructors who were awarded Selection Grade prior to 01.01.2006 and in the case of employees who have exercised their option to come over to the revised scales of pay on the date of their award of Selection Grade between 01.01.2006 and 31.05.2009 shall be refixed in the scale of pay at Rs.15600-39100 + G.P.5400 notionally with effect from 01.01.2006 or the date of award of Selection Grade in the post of Vocational Instructor with monetary benefits from 01.04.2013.

8. The above orders shall be applicable to all the Vocational Instructors who were awarded Selection Grade prior to 01.01.2006 and those awarded Selection Grade between 01.01.2006 and 31.05.2009 and opted for the revised scales of pay on that date irrespective of the fact as to whether they filed separate Writ Petitions or not.

9. The arrears of pay and allowances shall be drawn and paid to the individuals with effect from 01-04-2013 as per the orders in force.

(BY ORDER OF THE GOVERNOR)

**K. SHANMUGAM,
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT**

To

The Principal Secretary to Government, School Education Department,
Secretariat, Chennai-9.

The Director, School Education Department, Chennai-6.

The Accountant General (A&E) Chennai-18.

The Accountant General (CAB), Chennai-9/Madurai.

The Director of Treasuries and Accounts, Chennai-35.

The Pay and Accounts Officer, Secretariat, Chennai-9.

The Pay and Accounts Officer, (North/South/East), Chennai-1 /35 / 5.

The Pay and Accounts Officer, Madurai-625 001.

All Treasury Officer/Sub-Treasury Officers.

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W.P.No.9201 of 2025 etc

Thus, the grievances of the Vocational Instructors in selection grade and special grade have already been redressed. The Vocational Instructors were originally treated on par with B.T. Assistants. The B.T. Assistants had two promotional opportunities. The first level of promotion was as P.G. Assistant / High School Headmaster and the second level was as Higher Secondary School Headmaster. If a B.T. Assistant stagnated without getting promotion, the selection grade / special grade scale of pay has to be fixed by restricting to the first level and second level promotion post, as a result, the position of B.T. Assistant was as follows:

<i>Ordinary Grade</i>	<i>Selection Grade</i>	<i>Special Grade</i>
<i>9300-34800+G.P.4600</i>	<i>9300-34800+G.P.4800</i>	<i>15600-39100+G.P.5700</i>

15.The learned Advocate General commented that even though the educational qualification of Vocational Instructors cannot be compared at all to that of a B.T. Assistant still, a selection grade Vocational Instructor gets more grade pay whereas a special grade Vocational Instructor is in a far higher pay scale.

16.For those in higher administrative grade or in pay band 4, the benefits of increment due to bunching shall be given taking into account all the stages in different pay scales in that grade. Admittedly, the



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W.P.No.9201 of 2025 etc

Vocational Instructors do not fall in higher administrative grade and they are not in pay band 4. Therefore, they cannot invoke the said rule.”

11. The Hon'ble Division Bench of the Madurai Bench of this Court categorically held that revision that was made was only in respect of grade pay. The pay band was not all at touched or revised. The pay scale or the pay band of the Vocational Instructors remained the same and it was not elevated from one level to another level. If there is revision from one pay band to higher level, the additional fitment table will apply and not otherwise. Therefore, the judgment cited by the learned counsel appearing for the petitioner is not at all applicable to the cases on hand for the simple reason that the Rule 4 of the Rules is not applicable to the petitioner.

12. Insofar as the vocational teachers are concerned, there were one migration to higher pay band. They were granted only selection grade. Therefore, the vocational teachers do not fall in higher administrative grade and they are not in pay band No.4 and as such the Rule 4 of the Rules is not applicable to the petitioners. Hence the order dated dated 17.02.2020 doesn't suffer with any infirmity and this Court



W.P.No.9201 of 2025 etc

finds no infirmity or illegality in the order impugned in these Writ Petitions. Further the Writ Petitions sought for direction to apply the Rule 4(1) of the Rules also cannot be considered since the Rule doesn't apply to the petitioners.

13. Accordingly, all the Writ Petitions stand dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

17.11.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

Note : Registry is directed to
incorporate cause title for all
the cases and issue order copy.
rts



W.P.No.9201 of 2025 etc

To

WEB COPY

1. The Secretary to the Government,
Government of Tamil Nadu,
School Education Department,
Fort St. George, Chennai – 600 009.
2. The Secretary,
Government of Tamil Nadu,
Finance Department,
Fort St. George, Chennai – 600 009.
3. The Director of School Education,
College Road, Chennai – 600 006.
4. The Joint Director of School Education
(Vocational Education)
College Road, Chennai – 600 006.
5. The Chief Educational Officer,
Vellore District, Vellore.



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W.P.No.9201 of 2025 etc

G.K.ILANTHIRAIYAN. J.

rts

W.P.Nos.9201, 9203, 9206, 9211, 9213, 11379, 11380, 11385, 11387, 11388, 11391, 11394, 11396, 11399, 11401, 15467, 15478, 15489, 15508, 15531, 15534, 15537, 15542, 15546, 16860, 17221, 17224, 17229, 17230, 17234, 17777, 17845, 18733 to 18737, 19160, 19169, 19173, 19177, 19178, 19180, 19183, 19185, 19187, 19189, 19190, 19192, 19312, 19318, 19323, 19326, 19331, 19332, 19674, 19682, 19687, 19688, 19690, 19693, 19694, 19695, 19700, 19701, 19703, 19719, 19722, 19723, 19724, 19725, 19729, 19733, 19735, 19736, 19739, 19777, 19808, 19812, 19815, 19816, 22576, 22578, 26046, 26079, 26090, 26050, 26059, 26072, 26073, 26078, 28866, 28868, 28869, 29889, 29891, 29904, 29908, 34759, 34761, 34769, 35327, 35332, 35336, 35341 & 35342 of 2025

17.11.2025