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W.A Nos.3093 to 3096 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2025

CORAM

THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

W.A Nos.3093 to 3096 of 2025

And

CMP.Nos. 25197 to 25200 of 2025

W.A.No. 3093 of 2025

1.The Managing Director,
Chennai Metropolitan Water Supply and
Sewerage Board (CMWSS Board)
No.1, Pumping Station Road,
Chintadiripet, Chennai-600002.

2.The General Manager,
Chennai Metropolitan Water Supply and
Sewerage Board (CMWSS Board)
No.1, Pumping Station Road,
Chintadiripet, Chennai-600002.

..Appellants

Vs

K. Duraimuthu (Died)

1. Lakshmi .D
2. Hemalatha .D
3. Padmapriya.D



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4.The Commissioner,
Corporation of Madras,
Chennai-600003.

5.The Secretary to Government,
Department of Local Administration,
Fort St.George, Chennai-600009.

6.The Secretary to Government,
Finance (Pay Cell) Department,
Fort St. George, Chennai-600009.

..Respondents

(Respondents 1 to 3/LRs of the writ petitioner
were impleaded with order of this Court dated 19.09.2025)

W.A.No. 3094 of 2025

1.The Managing Director,
Chennai Metropolitan Water Supply and
Sewerage Board (CMWSS Board)
No.1, Pumping Station Road,
Chintadiripet, Chennai-600002.

2.The General Manager,
Chennai Metropolitan Water Supply and
Sewerage Board (CMWSS Board)
No.1, Pumping Station Road,
Chintadiripet, Chennai-600002.

..Appellants

Vs

1.A.N.Deenadayalan

2.The Commissioner,
Corporation of Madras,
Chennai-600003.



W.A Nos.3093 to 3096 of 2025

3.The Secretary to Government,
Department of Local Administration,
Fort St.George, Chennai-600009.

4.The Secretary to Government,
Finance (Pay Cell) Department,
Fort St. George, Chennai-600009.

..Respondents

W.A.No. 3095 of 2025

1.The Managing Director,
Chennai Metropolitan Water Supply and
Sewerage Board (CMWSS Board)
No.1, Pumping Station Road,
Chintadiripet, Chennai-600002.

2.The General Manager,
Chennai Metropolitan Water Supply and
Sewerage Board (CMWSS Board)
No.1, Pumping Station Road,
Chintadiripet, Chennai-600002.

..Appellants

Vs

1.R. Santhanam

2.The Commissioner,
Corporation of Madras,
Chennai-600003.

3.The Secretary to Government,
Department of Local Administration,
Fort St.George, Chennai-600009.



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4.The Secretary to Government,
Finance (Pay Cell) Department,
Fort St. George, Chennai-600009.

..Respondents

W.A.No. 3096 of 2025

1.The Managing Director,
Chennai Metropolitan Water Supply and
Sewerage Board (CMWSS Board)
No.1, Pumping Station Road,
Chintadiripet, Chennai-600002.

2.The General Manager,
Chennai Metropolitan Water Supply and
Sewerage Board (CMWSS Board)
No.1, Pumping Station Road,
Chintadiripet, Chennai-600002.

..Appellants

Vs

1.G.V.Loganathan

2.The Commissioner,
Corporation of Madras,
Chennai-600003.

3.The Secretary to Government,
Department of Local Administration,
Fort St.George, Chennai-600009.

4.The Secretary to Government,
Finance (Pay Cell) Department,
Fort St. George, Chennai-600009.

..Respondents



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Common Prayer : These Writ Appeals are filed under Clause 15 of Letter Patent to set aside the orders dated 05.03.2024 passed in W.P. Nos. 1921 of 2016, 1922 of 2016, 1923 of 2016 and 1924 of 2016 .

For Appellants: Mr.R.Neelakandan, AAG

(in all Writ Appeals)

For Respondents : Mr.S.Arunachalam – R1 (in all WAs)

Mr.D.B.R.Prabhu, Standing Counsel

(For R4 in W.A.No. 3093 of 2025 and

For R2 in W.A.Nos. 3094 to 3096 of 2025)

Mr.E.Vijay Anand, AGP

(For R5 & R6 in W.A.No.3093 of 2025

and For R3 & R4 in W.A.Nos.3094 to 3096 of 2025)

COMMON JUDGMENT

(Made by **HEMANT CHANDANGOUDAR, J.**)

Since the issue involved in all these writ appeals is identical, they are taken up together, heard, and disposed of by this common judgment.

2. These intra-court appeals are directed against the orders passed in W.P. Nos. 1921 of 2016, 1922 of 2016, 1923 of 2016 and 1924 of 2016 dated



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05.03.2024. By the said order, the learned Single Judge set aside the order dated 17.11.2015 passed by the first appellant, wherein the request of the respondents/writ petitioners for revision of the scale of pay in terms of G.O. Ms. No. 582, Finance (Pay Cell) Department, dated 01.08.1992, was rejected as not feasible for consideration.

3.1. The respondents/writ petitioners in all these appeals were originally appointed as Time Keepers in the respondent-Corporation. Upon the constitution of the appellant-Board, employees from the erstwhile Water Works Department and the Special Works Department of the Madras Municipal Corporation were transferred to the newly formed Board. The respondents/writ petitioners were accordingly absorbed as Time Keepers with all attendant service benefits.

3.2. The Government, through G.O. Ms. No. 582 dated 01.08.1992, revised the time scale of pay for certain categories of posts in the third respondent-Corporation, including Assistant Overseer. However, no such revision was extended to the category of Time Keeper in the appellant-Board. Nonetheless, the appellant-Board revised the pay scale for three individuals on the ground



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that they had earlier served as Assistant Overseers in the respondent-Corporation before their absorption as Time Keepers.

3.3. The request of the respondents/writ petitioners for similar revision of pay was rejected, which compelled them to file the writ petitions. The learned Single Judge, by the impugned order, set aside the decision of the appellants and directed revision of the pay scale with consequential monetary benefits. Aggrieved thereby, the appellants have preferred these writ appeals.

4. Mr. R. Neelakandan, learned Additional Advocate General appearing for the appellants, submitted that the respondents/writ petitioners, both at the time of initial appointment as Time Keepers and at the stage of absorption into the appellant-Board, did not possess the requisite qualifications prescribed for the post. Therefore, they were not eligible for the benefit of revised time scale of pay under G.O. Ms. No. 582 dated 01.08.1992.

5. Learned Additional Advocate General further submitted that the three individuals who had earlier served as Assistant Overseers in the respondent-Corporation possessed the requisite qualifications, as reflected in the



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proceedings of the Board dated 26.08.2000, and hence they alone were extended the benefit. Consequently, the learned Single Judge erred in directing extension of the benefit to the respondents/writ petitioners, rendering the impugned order legally unsustainable.

6. In response, Mr. S.Arunachalam, learned counsel for the respondents/writ petitioners submitted that the respondent/writ petitioners were duly absorbed as Time Keepers and have been discharging the functions and responsibilities attached to that post. After absorption, there cannot be discrimination among Time Keepers based on their pre-absorption qualifications, particularly when all of them perform identical duties. The respondents/writ petitioners are, therefore, entitled to the benefit of the principle of equal pay for equal work on par with similarly placed Time Keepers. Hence, the impugned order of the learned Single Judge suffers from no infirmity and warrants no interference.

7. The submissions of the learned counsel on either side, along with the materials placed on record, have been carefully considered.



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8. It is not in dispute that the respondents/writ petitioners were absorbed into the appellant-Board as Time Keepers. It is also evident that other individuals who had earlier served as Assistant Overseers in the respondent-Corporation were similarly absorbed as Time Keepers. The appellant-Board extended the revised scale of pay to only three such individuals, all of whom had a past tenure as Assistant Overseers. The respondents/writ petitioners, after absorption, discharged the same duties as those of the other Time Keepers who were extended the benefit of revised pay.

9. G.O. Ms. No. 582 dated 01.08.1992 does not prescribe any distinction among Time Keepers based on educational qualification or prior service history for the purpose of extending the revised time scale of pay. A classification between similarly placed employees must satisfy the test of reasonableness under Article 14 of the Constitution. Once the respondents/writ petitioners were absorbed and were performing identical duties, denying them the benefit of the revised pay scale solely on the ground of prior qualifications amounts to arbitrary and hostile discrimination.



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10. Service jurisprudence rests upon the foundation of fairness, non-discrimination, and equality. The principle of equal pay for equal work mandates parity where employees perform the same duties and shoulder similar responsibilities. The learned Single Judge, having appreciated these aspects, rightly extended the benefit of the revised scale of pay to the respondents/writ petitioners.

11. In the absence of any perversity, illegality in the reasoning of the learned Single Judge, no ground is made out to interfere with the impugned orders.

12. Accordingly, these writ appeals stand dismissed. Consequently, the connected Miscellaneous Petitions are closed. There shall be no order as to costs.

(R.S.K.,J)

(H.C., J)

17.11.2025

Index : Yes / No

Internet : Yes/No

Neutral Citation : Yes / No

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