



W.P.No.38932 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 12.08.2025

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.38932 of 2015

S.Murugesan

... Petitioner(s)

Vs.

1. The Secretary to Government, Department of Differently Abled,
Fort St. George, Chennai – 9.
2. The State Commissioner & Commissioner of Differently Abled,
K.K.Nagar, SRTC Compound, Chennai – 78.
3. The Principal, Government Industrial Training Centre for Blind,
Poonamallee, Chennai – 56.

... Respondent(s)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the second respondent in connection with the impugned order passed by him in Na.Ka.No.1230/CP/2008 dated 13.10.2015 and quash the same and direct the respondents to revise the scale of pay of the petitioner to Rs.9300-34800+4600 GP wef 01.08.2025 within a reasonable time.

For Petitioner(s) : Mr.R.K.Maurya Kiran
for M/s.M.Muthappan

For Respondent(s) : Mr.V.Veluchamy,



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Additional Government Pleader

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ORDER

The petitioner herein, who was initially appointed as 'Industrial Instructor' in the third respondent/ Institute, was subsequently promoted to the post of 'Manager' on 04.02.2014, and his pay was fixed at Rs.9300–34800 with a grade of Rs.4400/-. Having been aggrieved by the said fixation of grade pay of Rs.4400/-, the petitioner made a claim for fixation of his grade pay at Rs.4600/- on par with that of the 'B.T Assistant/ Post Graduate Teacher', on the ground that the pre-revised scale attached to the post of 'Manager' as well as 'B.T Assistant' is one and the same. But upon implementation of the revised pay scales, the grade pay of the 'B.T Assisnant' was fixed at Rs.4600/-, whereas the grade pay of the post of 'Manager' was fixed at Rs.4400/-.

2. Basing upon the abovesaid alleged discrimination, the petitioner made a claim for fixation of his grade pay at Rs.4600/-. The said claim of the petitioner was considered by the respondents in the light of the orders passed by this court in W.P.No.29816 of 2015 dated 16.09.2015 and accordingly, the impugned order dated 13.10.2015 came to be passed, stating that any claim for revision of pay scales will not be entertained at the instance of an individual or an association



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unless and until the revision of pay scales is taken up by duly appointing the Commissioner for the purpose. The petitioner has challenged the proceedings dated 13.10.2015 on the ground that the claim of the petitioner has not been considered on merits, but the same was refused to be considered by placing reliance on G.O (Ms) No.200, Finance (CMPC) Department, dated 10.07.2015. No doubt, the impugned proceedings does not consider the claim of the petitioner on merits, on the other hand, refused to consider the claim of the petitioner for revision of his grade pay attached to the post of 'Manager' in the light of the orders issued in G.O (Ms) No.200, dated 10.07.2015.

3. This court, after having heard the learned counsel for the petitioner at length, is unable to accept the claim that is being made by the petitioner for fixation of grade pay on par with the post of 'B.T Assistant', as the post of 'Manager' as well as 'B.T Assistant' cannot be compared.

4. The contention of the learned counsel for the petitioner that possession of a graduation degree is the qualification for both posts of 'Manager' as well as 'B.T Assistant' and, therefore, the post of 'Manager' is also entitled to be fixed at the rate



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of Rs.4600/- grade pay cannot be accepted. Merely because the qualification of

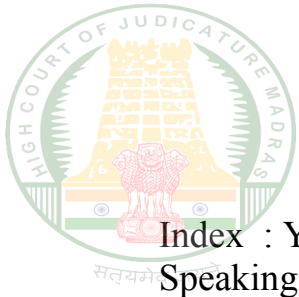
graduation degree for the post of 'Manager' as well as 'B.T Assistant' are same, cannot, under any circumstances, be a criterion for pay fixation or revision of pay as the post of 'Manager' is governed by different set of rules and the post of 'B.T Assistant' is governed by different set of rules. Hence, there cannot be any comparison between the post of 'Manager', in which the petitioner is working and the post of 'B.T Assistant/ Post Graduate Assistant Teachers'.

5. In the circumstances, this court is of the considered view that the claim that is being made by the petitioner for fixation of his pay on par with that of the 'B.T Assistant' is totally misconceived. Though the claim of the petitioner was not considered by the respondents on merits while passing the impugned order, this court, having concluded that the claim of the petitioner is totally misconceived, is not inclined to interfere with the impugned order passed by the respondents.

6. Accordingly, the writ petition is dismissed. No costs. Connected miscellaneous petitions, if any, shall stand closed.

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Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

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MUMMINENI SUDHEER KUMAR, J.

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