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W.P.No.11879 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 7/3/2025

C O R A M

The Hon'ble **Ms.JUSTICE BHAVANI SUBBAROYAN**

Writ Petition No.11879 of 2023
a n d
W.M.P.Nos.11771 and 11772 of 2023

T.Thagapillai

...

Petitioner

Vs

1. The Government of Tamil Nadu
rep. By Secretary to the Government
School Education Department
Fort St. George
Chennai 9.
2. The Secretary
Government of Tamil Nadu
Finance Department
Fort St. George
Chennai 9.
3. The Commissioner of School Education
College Road
Chennai 6.
4. The Joint Director of School Education (Vocation)
College Road
Chennai 6.



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5. The Headmaster
Government Higher Secondary School
MGR Nagar
Chennai 78.

6. The Branch Officer
C/o Accountant General (A & E)
361 Anna Salai
Chennai.

...

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records of the respondents in relation to the proceedings issued in No.AG (A & E)/PENP11/111 29434/2/R1129434/2022 dated 29/9/2022 by the sixth respondent and quash the same and issue a consequential direction to the respondents not to reduce or alter the pay of petitioner on appointment to the post of P.G.Assistant in Commerce from the post of Vocational Instructor by way of recruitment by transfer on 16/11/2019 and to sanction all the pensionary benefits.

For petitioner ...

Mr.R.Saseetharan

For respondents ...

Mr.S.Prabhakaran
Government Advocate (Edn.)
for R.R.1 to 4

Mrs.Hemamurali Krishnan
for R.6



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ORDER

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2. The brief facts that are necessary for the disposal of the writ petition are as follows:-

The petitioner was initially appointed as Double Part Time Vocational Instructor on 2/1/1989 on consolidated pay in Auditing and Accountancy at Government Model Higher Secondary School, Saidapet, Chennai. The petitioner was absorbed as Vocational Instructor in regular time scale of pay of Rs.1400-2600 from 23/9/1994 by the proceeding of the Chief Educational Officer, dated 23/12/1994. His service was regularised in



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the post of Vocational Instructor Grade – I with effect from 16/10/1992 by the Proceeding of the Joint Director of School Education dated 31/5/2007 in the regular time scale of pay and his probation was declared on 16/5/2008 of the Chief Educational Officer, Chennai.

3. The Government of Tamil Nadu has introduced a revised scale of pay for 8th time to its employees from 1/1/2016 with monetary benefit from 1/10/2017. As per the said revision of pay, pay of the petitioner has been fixed at pay level – 22, Index No.20 at Rs.90,000/- in the pay matrix of Rs.56,100-177500. The petitioner was retired from service on 30/9/2022. His last drawn pay was fixed at Rs.1,04,400/- and his pension proposal was forwarded to the Accountant General, for sanction on 8/8/2022. While sanctioning pensionary benefits, Accountant General has reduced the petitioner's pay from Rs.94,900 (Level – 18 Cell 33) on the ground that the Accountant General has sought clarification in respect of admissibility of grade pay of Rs.5400/- as per G.O.Ms.No.306 dated 12/9/2018 in respect of Vocational Instructors, who are promoted as P.G.Assistant.

4. Being aggrieved, the petitioner has come up with the instant writ



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petition, praying for the relief as stated therein.

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5. Heard Mr.R.Saseetharan, learned counsel for the petitioner, Mr.S.Prabhakaran, learned Government Advocate (Education) for the respondents 1 to 5 and Mrs.Hema Muralikrishnan, learned counsel for the sixth respondent.

6. The learned Government Advocate appearing for the respondents 1 to 5 would submit that by virtue of interim stay granted by this Court in the instant writ petition, as early as on 20/4/2023, amount has not been recovered. He would further submit that the petitioner was retired on 30/9/2022 and his last drawn pay was Rs.1,04,400/-.

7. The learned counsel appearing for the petitioner submitted that this Court in similar matters had directed the respondents to continue to pay the selection grade pay/special grade pay to the petitioner. To substantiate his case, he has produced a copy of the order dated 11/12/2023, made in W.P.Nos.17883 to 17887 of 2018.



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8. In such a view of the matter, this writ petition is disposed of, directing the respondents to continue to pay the selection grade pay/special grade pay to the petitioner, subject to the condition that petitioner complies with all the other requirements. No costs. Consequently, connected Miscellaneous Petitions are closed.

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mvs.

Index: Yes/No

Neutral Citation: Yes/No



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