



Cont.P.Nos.1708 of 2025 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 25.08.2025

CORAM :

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

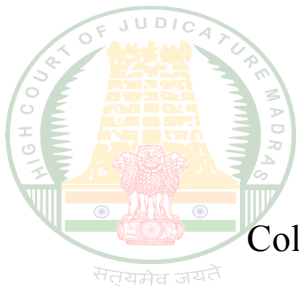
Contempt Petition Nos.1708, 1614, 1615, 1616, 1952, 1953, 1954, 1955,
1956, 1957, 1958 and 1839 of 2025

1. K.Saraswathi	..	Petitioner in Cont.P.No.1708 of 2025
2. A.Pankajam	..	Petitioner in Cont.P.No.1614 of 2025
3. D.Vijayakumar	..	Petitioner in Cont.P.No.1615 of 2025
4. K.Muthu	..	Petitioner in Cont.P.No.1616 of 2025
5. M.Jagadeeswari	..	Petitioner in Cont.P.No.1952 of 2025
6. G.Radhabai	..	Petitioner in Cont.P.No.1953 of 2025
7. U.Ganesh	..	Petitioner in Cont.P.No.1954 of 2025
8. N.Revathy	..	Petitioner in Cont.P.No.1955 of 2025
9. C.Vijayalakshmi	..	Petitioner in Cont.P.No.1956 of 2025
10.K.Hemalatha	..	Petitioner in Cont.P.No.1957 of 2025
11.S.V.Kabila	..	Petitioner in Cont.P.No.1958 of 2025
12.V.N.Vijayakumar	..	Petitioner in Cont.P.No.1839 of 2025

v.

1. Dr.B.Chandramohan, I.A.S.,
Principal Secretary to Government
School Education Department
Secretariat, Chennai 600 009

2. Tmt.N.Latha
Director of Government Examinations
Directorate of Government Examinations



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College Road, Chennai 600 006

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3. Tmt.K.Latha

Deputy Director (Administration) of
Government Examinations
Directorate of Government Examinations
College Road, Chennai 600 006 ..

Respondents 1 to 3 in all the
Contempt Petitions

4. The Secretary to Government of
Tamil Nadu
Finance Department
Fort St.George
Chennai 600 009 ..

4th Respondent in Cont.P.Nos.
1952 to 1958 & 1839/2025

(R4 suo motu impleaded vide orders
of Court dated 20.06.2025 in
Cont.P.No.1839/2025 & dated
27.06.2025 in Cont.P.Nos.1952 to
1958/2025)

Petitions filed under Section 11 of the Contempt of Courts Act, 1971
praying to punish the respondents for wilful disobedience of the orders dated
30.10.2024, 29.10.2024, 30.10.2024 made in W.P.Nos.30807, 30811, 30815,
30817, 29895, 29897, 29899, 29904, 29906, 29909, 29911, 30516 of 2024,
respectively.

For Petitioners :: Mr.K.Arumugam
in Cont.P.Nos.1708, 1614 to 1616,
1952 to 1958 of 2025
Mr.R.Rajaram in Cont.P.No.1839/25

For Respondents :: Mr.R.Neelakandan
Additional Advocate General
assisted by
Mrs.S.Mythreye Chandru



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Special Government Pleader
for R1 to R3
Mr.Azizullakhan
Government Advocate for R4

COMMON ORDER

A common affidavit has been filed by the first respondent in all these contempt petitions. The relevant portions are extracted hereunder:-

“10. It is respectfully submitted that pursuant to the retrospective regularisation, the petitioners' scales of pay have been notionally fixed with increments till their respective dates of retirement. In accordance with settled service law principles and the above reasoning on statutory relaxations, monetary benefits are granted only prospectively from the date of the Government Orders.

**Comparative statement in respect of pay drawn particulars
before and after issuance of G.O**

Sl. No.	NAME	Date of Retirement	Pay as on Date of Retirement			Benefits as per G.O.		
			Pay	DA	Total	Pay	DA	Total
1	K.SARASWATHI	31.05.2013	7430	5944	13374	9370	7496	16866
2	A.PANKAJAM	30.07.2017	8900	12371	21271	10740	14929	25669
3	D.VIJAYAKUMAR	31.03.2014	7660	7660	15320	9520	9520	19040
4	K.MUTHU	31.03.2015	7890	8916	16806	9810	11085	20895
5	M.JAGADEESWARI	30.04.2013	7430	5944	13374	9540	7632	17172
6	G.RADHA BAI	31.05.2011	7000	3570	10570	8990	4585	13575
7	U.GANESH	30.06.2013	7430	5944	13374	9540	7632	17172



Sl. No.	NAME	Date of Retirement	Pay as on Date of Retirement			Benefits as per G.O.		
			Pay	DA	Total	Pay	DA	Total
8	N.REVATHI	31.07.2013	7430	6687	14117	9540	8586	18126
9	C.VIJAYALAKSHMI	31.05.2013	7430	5944	13374	9660	7728	17388
10	K.HEMALATHA	30.11.2013	7660	6894	14554	9660	8694	18354
11	S.V.KABILA	30.06.2013	7430	5944	13374	9370	7496	16866
12	V.N.VIJAYAKUMAR	31.03.2008	6390	3003	9393	8210	3859	12069

Accordingly, their pensionary benefits have been fixed as on 24.07.2025 and 05.08.2025 respectively, with Dearness Allowance and Medical Allowance, as set out in the table below:

NAME	PAY Rs.	PENSION Rs.	DA Rs.	MA Rs.	TOTAL Rs.
K.SARASWATHI	9370	7850	4318	300	12,468
A.PANKAJAM	10740	8835	4859	300	13,994
D.VIJAYAKUMAR	9520	7850	4318	300	12,468
K.MUTHU	9810	7850	4318	300	12,468
M.JAGADEESHWARI	9540	7850	4318	300	12,468
G.RADHA BAI	8990	7850	4318	300	12,468
U.GANESH	9540	7850	4318	300	12,468
N.REVATHI	9540	7850	4318	300	12,468
C.VIJAYALAKSHMI	9660	7850	4318	300	12,468
K.HEMALATHA	9660	7850	4318	300	12,468
S.V.KABILA	9370	7850	4318	300	12,468
V.N.VIJAYAKUMAR	8210	7850	4318	300	12,468

2. The main issue that has been raised is that the monetary benefits



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ought to have been given to the petitioners from the date of their retirement and it cannot be given from the date of issuance of the Government Order. It is further submitted that the Government Order is completely silent about the other monetary retirement benefits that have to be given to the petitioners.

3. Per contra, the respondents have taken a stand that the relevant rules were relaxed and it was given only prospective effect and therefore, whatever monetary benefits have to be given, can be made operative only from the date of issuance of the Government Order.

4. It is true that while the writ petitions were disposed of by this Court, a direction was issued to the respondents to regularize the services and to grant all the monetary benefits. The regularization has taken place by virtue of the relaxation of the rules. Insofar as the monetary benefits are concerned, it is now under controversy as to whether they have to be given from the date of retirement or they have to be given only from the date of issuance of the Government Order.



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WEB COPY 5. The learned counsel for petitioners submitted that the operation of the Government Order prospectively will apply to the in-service candidates. However, when it comes to retired persons, it has to be necessarily applied from the date of their retirement, failing which they will not get any benefits.

6. Considering the limited scope of the contempt jurisdiction and also taking note of the fact that if any direction is given to the respondents to pay the monetary benefits from the date of retirement, it will tantamount to watering down the Government Order, it will be more appropriate for the petitioners to question the Government Order in the manner known to law. Except giving this liberty, no further orders can be passed in these contempt petitions. Accordingly, all these contempt petitions are closed.

Index : yes/no

25.08.2025

Neutral citation : yes/no

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To

1. The Principal Secretary to Government
School Education Department
Secretariat, Chennai 600 009



Cont.P.Nos.1708 of 2025 etc.

2. The Director of Government Examinations
Directorate of Government Examinations
College Road, Chennai 600 006

3. The Deputy Director (Administration) of
Government Examinations
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4. The Secretary to Government of
Tamil Nadu
Finance Department
Fort St.George
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