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W.A No. 2616 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-09-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE HEMANT CHANDANGOUDAR

WA No. 2616 of 2025

AND

CMP NO. 20888 OF 2025

1. The District Educational Officer,
Tirupattur Educational District, Tirupattur,
Tirupattur District.
2. The Block Educational Officer,
Jolarpet Union, Tirupattur Educational District,
Tirupattur District.

..Appellants

Vs

P.Paranthaman,
S/o.R.Purushothaman, Door No.5/12,
Reddiyarvattam, Jayapuram Post and Village,
Nattarampalli Taluk, Tirupattur District -635 651.

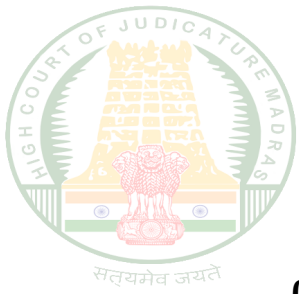
..Respondent

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 14.03.2024 made in W.P.No.14809 of 2021 and allow this Writ Appeal and thus render justice.

For Appellants : Mr.S.Yashwanth
Additional Government Pleader

For Respondent : Mr.P.M.Vishnu Varthanan

Judgment



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(Judgment of the Court was delivered by R.Suresh Kumar J.)

The issue raised in this intra Court appeal, which has been filed against the order of the Writ Court dated 14.03.2024 made in W.P.No.1480 of 2021 is to set right the pay anomaly between two secondary grade teachers, who have been subsequently promoted.

2. The impugned order before the Writ Court is dated 09.04.2021, whereby the plea raised by the respondent / writ petitioner was rejected on the ground that since the junior who has been compared by the writ petitioner for getting equal pay since had been appointed in two different Panchayat Unions based on the seniority that was maintained in that Panchayat Union concerned such a higher pay has been fixed for the junior, therefore it cannot be rectified. That was the reason given by the second appellant herein in the impugned order dated 09.04.2021. The said order was challenged before the writ Court and the learned Single Judge in fact allowed the said writ petition.

3. In this context, it is to be noted that similar order passed by the very same authority in respect of yet another teacher was allowed by the writ Court and the said order was challenged in an intra Court appeal in W.A.No.2602 of



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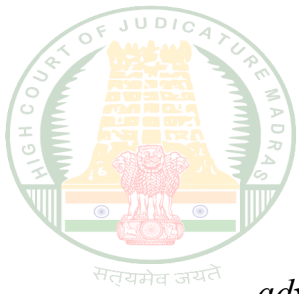
2025, which came to be disposed of by us vide our order dated 08.09.2025,

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where we have passed the following order.

" 15. Therefore, for whatever reasons now has been projected by the learned Additional Government Pleader, the order impugned dated 09.04.2021 cannot be successfully defended and the order dated 09.04.2021 which was impugned before the writ Court is liable to be set aside. Accordingly, that portion of the order impugned setting aside the order dated 09.04.2021 is to be approved not for the reasons that has been discussed by the learned Judge in the impugned order but for the reasons that the reasons cited in the impugned order, i.e., 09.04.2021 would not be sustainable in the eye of law.

16. Therefore, to that extent, we approve the order passed by the learned Judge which is impugned herein, but at the same time, the consequential direction issued in this regard by the learned Judge is liable to be interfered with because of the reasons now have been cited by the learned Additional Government Pleader and therefore, after having approved the order passed by the learned Judge, which is impugned herein whereby the order dated 09.04.2021 since has been set aside, the matter is left at open for the appellant Department to pass a revised order if they are advised to do so on the plausible reasons and the sustainable grounds and in that case, if any



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adverse order is passed against the respondent / writ petitioner, it is open to him to challenge the order by way of judicial review. The revised order be passed by the appellant Department within a period of two months from the date of receipt of a copy of this judgment.

17. With these observations and modification of the order which is impugned herein passed by the writ Court, this Writ Appeal is disposed of accordingly. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

4. Since the facts are similar, both the learned Government Pleader appearing for the appellants and the learned counsel for the respondent / writ petitioner submit that this writ appeal also is to be disposed of in the same lines, in which W.A.No.2602 of 2025 was disposed of.

5. In that view of the matter, this writ appeal is disposed of with the following orders.

- The order impugned dated 09.04.2021 cannot be successfully defended and the order dated 09.04.2021 which was impugned before the writ Court is liable to be set aside. Accordingly, that portion of the order impugned



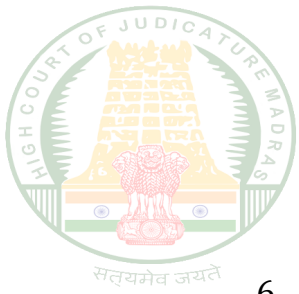
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setting aside the order dated 09.04.2021 is to be approved not for the reasons that has been discussed by the learned Judge in the impugned order but for the reasons that the reasons cited in the impugned order, i.e., 09.04.2021 would not be sustainable in the eye of law.

- Therefore, to that extent, we approve the order passed by the learned Judge which is impugned herein, but at the same time, the consequential direction issued in this regard by the learned Judge is liable to be interfered with because of the reasons now have been cited by the learned Additional Government Pleader and therefore, after having approved the order passed by the learned Judge, which is impugned herein whereby the order dated 09.04.2021 since has been set aside, the matter is left at open for the appellant Department to pass a revised order if they are advised to do so on the plausible reasons and the sustainable grounds and in that case, if any adverse order is passed against the respondent / writ petitioner, it is open to him to challenge the order by way of judicial review. The revised order be passed by the appellant Department within a period of two months from the date of receipt of a copy of this judgment.



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6. With these observations and modifications in the order which is impugned herein passed by the writ Court, this Writ Appeal is disposed of accordingly. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(R.S.K.,J.) (H.C.,J.)
09-09-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST



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