



W.P. No. 18208 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2025

CORAM

THE HON'BLE Ms. JUSTICE R.N.MANJULA

W.P. No. 18208 of 2018

A.Ram Prakash

... Petitioner

-VS-

The Commissioner
Directorate of Technical Education
Guindy, Chennai-25.

... Respondent

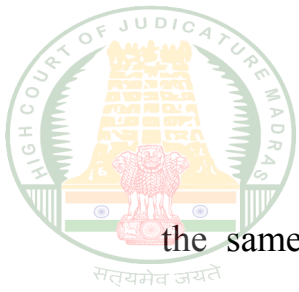
Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for records relating to the order of the respondent made in Letter No.2082/C1/2016 dated 10.05.2018, quash the same and to consequently direct the respondent to forthwith re-fix the Grade Pay of the petitioner from Rs.2600/- to that of Rs.4200/- w.e.f. 01.01.2006.

For Petitioner : Mr.L.Chandrakumar

For Respondent : Mr.S.Arumugam, GA

ORDER

This writ petition has been filed to call for records relating to the order of the respondent made in Letter No.2082/C1/2016 dated 10.05.2018 and quash



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the same and to consequently direct the respondent to forthwith re-fix the

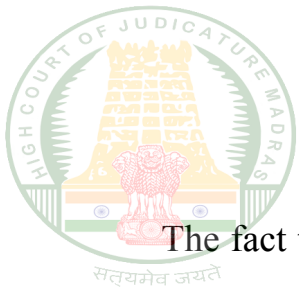
Grade Pay of the petitioner from Rs.2600/- to that of Rs.4200/- w.e.f.

01.01.2006.

2. Heard Mr.L.Chandrakumar, learned counsel for the petitioner and Mr.S.Arumugam, learned Government Advocate for the respondent and perused the materials placed on record, apart from the pleadings of the parties.

3. In the impugned order dated 10.05.2018, the following reasons have been stated for rejecting the claim of the petitioner:

" Since scale of pay for Skilled Assistant is Rs.5200-20200+Rs.2400/- Grade pay as per condition laid down in Para 4(1) of Government letter cited in the reference (1) and the next promotion to the post of Workshop Instructor from the post of Skilled Assistant is fixed as Rs.2600/- Grade pay. Therefore the scale of pay for the post of Skilled Assistant (Selection Grade) should be fixed as Rs.5200-20200+2600 Grade pay. So it is informed that the individual's request to fix grade pay for the Selection grade as Rs.4200/- cannot be considered as per rules."



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The fact that the petitioner was Lab Assistant is not in dispute. The further fact

that the starting pay of the Lab Assistant has been revised from Rs.5,200-20,200+Rs.1900 to Rs.5,200-20,200+Rs.2400.

4. For those persons, who have got the selection grade and special grade prior to 01.01.2006 in view of the recommendations of the One Man Commission, Government has issued various Government orders and Clarificatory letters. As per the classificatory letter dated 08.11.2010, the revised selection grade and special grade scale of pay for those persons, who have the ordinary grade is Rs.5,200-20,200+Rs.2400/-. The petitioner claims that he has got his selection grade before the crucial date of 01.01.2006 and that there is no promotional avenues, he is entitled to get his pay fixed as per the selection grade and special grade at Rs.9,300-34,800+GP Rs.4200.

5. The impugned order dated 10.05.2018 has restricted the petitioner's revision of pay to that of the Workshop Instructor, which is the first level promotional post to the Lab Assistant. In the impugned order, a reference has been made to paragraph 4(1) of the Government Clarificatory Letter issued on 08.11.2010. The said clarification would state that even if persons, who have acquired selection grade prior to 01.01.2006, they will get the revised scale of



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pay only when the revised scale of pay as shown in the annexure-I does not

exceed the first level and second level promotional posts.

6. As the next level promotional post for Lab Assistant is Workshop Instructor and it carries the ordinary grade pay of Rs.2400/-, the first respondent is thought it fit to revise the pay of the petitioner to Rs.5,200 -20,200 + Rs.2600/-. As the petitioner wishes to overlook the next level promotional post and claims the benefits without giving contextual interpretation to 4(1) of the Government Letter dated 08.11.2010, he is not entitled to the benefit as claimed.

7. In the result, this writ petition is dismissed. No costs.

08.04.2025

Internet: Yes/No

Speaking /Non-speaking order

Neutral Case Citation : Yes/No

Maya

To

The Commissioner
Directorate of Technical Education
Guindy, Chennai-25.



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R.N.MANJULA, J.

Maya

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