



W.A.No.2250 of 2022

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED: 08.07.2025**

**CORAM:**

**THE HON'BLE MRS.JUSTICE J.NISHA BANU**

**AND**

**THE HON'BLE MR.JUSTICE M.JOTHIRAMAN**

**W.A.No.2250 of 2022**

T.Riswan Ahmed

.... Appellant

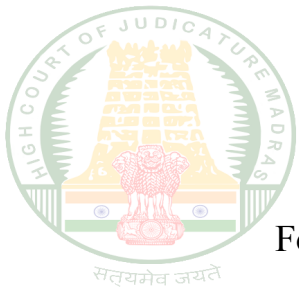
Vs.

1.State of Tamil Nadu,  
Rep. by its Secretary,  
Backward Classes, Most Backward Classes  
and Minorities Welfare Department,  
Fort St.George, Secretariat,  
Chennai-600 009.

2.Tamil Nadu Minorities Economic  
Development Corporation Ltd.,  
Rep. by its Managing Director,  
now having its office at First Floor,  
Khalas Mahal, Heritage Building,  
Chepauk, Chennai-600 005.

.... Respondents

**Prayer:** The Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 16.06.2022 made in W.P.No.4466 of 2014.



W.A.No.2250 of 2022

For Petitioner

: Mr.J.Shanmuga Sundara Babu

WEB COPY For Respondents

: Mr.P.Muthukumar,  
Additional Advocate General  
assisted by  
Mr.Prabakaran,  
Government Advocate for R1

Mr.R.Mugunthan for R2

### **JUDGMENT**

(Judgment of the Court was delivered by ***J.NISHA BANU, J.***)

This Writ Appeal is preferred as against the order of the learned Single Judge dated 16.06.2022 made in W.P.No.4466 of 2014.

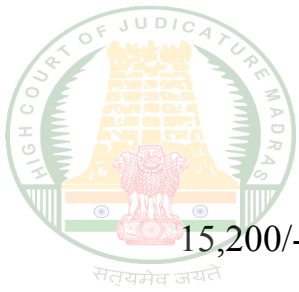
2. The writ petitioner is the appellant herein. The case of the writ petitioner is that he was appointed as Commercial Trainee in the Tamil Nadu Steels Limited in the year 1972 and was made as a permanent employee in the post of Junior Assistant on 12.06.1973. Subsequently, on the closure of Tamil Nadu Steels Limited, the appellant was relieved from service on 31.07.1998 after serving for 22 years in the Accounts Department. The first respondent Government issued orders for absorption of employees of Tamil Nadu Steel Ltd. in other State Public Sector Undertakings as per G.O.Ms.No.524, Industries (MIA-I) Department dated 21.08.1998. The



W.A.No.2250 of 2022

second respondent, on being satisfied with the performance of the writ petitioner / appellant, absorbed him as Manager Credit in the scale of pay of Rs.6,500-200-10500 with effect from 08.02.2001 and he was made permanent with effect from 08.02.2001. The appellant opted for Special VRS Scheme and thereafter, an opportunity was given to the appellant to serve with the 2nd respondent / TAMCO under the re-employment scheme and he was serving with the 2nd respondent till he was relieved from the services of TAMCO on 30.09.2009 by proceedings No.A2/1918/09 dated 30.09.2009 of the second respondent Corporation consequence on attaining the age of superannuation on 02.09.2009. The Government issued G.O.Ms.No.117, BC, MBC & MW Department dated 10.12.2009 for the continuous re-employment from 01.10.2009 to 30.09.2010 and fixed the petitioner's monthly pay at 50% of his last drawn wages as on 30.09.2009, without considering the request of the second respondent Corporation to fix the monthly pay and pension together not exceeding his last drawn pay as on 30.09.2009. The services of the petitioner in the second respondent Corporation was extended for one more year from 01.10.2010 to 30.09.2011, vide G.O.Ms.No.62, BC, MBC & MW Department dated 29.10.2010.

3. The appellant raised a claim for re-fixation of pay at Rs.10,000 -



W.A.No.2250 of 2022

15,200/- with effect from 08.02.2001, i.e., from the date of his joining in TAMCO till his retirement along with arrears and interest, which was rejected vide proceedings of the first respondent dated 29.10.2012. Challenging the said proceedings, he has filed the writ petition, which was dismissed by the Writ Court against which the appellant is before this Court with the present appeal.

4. Heard the learned counsel for the parties and perused the materials on record.

5. The fact remains that the appellant joined the 2<sup>nd</sup> respondent under the Re-employment Scheme during the year 2001 and he continued in service till his date of superannuation i.e., 31.09.2009. It is grievance of the appellant that the second respondent should have fixed the scale of pay for the cadre of Manager-Credit at Rs.10,000-15,200 whereas the second respondent fixed scale of of the appellant at Rs.6,500-10,500 which is contradictory to the Service Rules. However, it is the stand of the respondents that the Government had fixed the pay scale of the appellant at Rs.6500-200-10500 and was drawn with effect from 08.02.2001 and the appellant had put in 3 years and 93 days of total service in TAMCO after he was absorbed in the



W.A.No.2250 of 2022

corporation and he had no adequate experience and academic knowledge for getting the upgraded scale of pay of Rs.10,000-15,200, which was never created / sanctioned by the Government. Be that as it may, the appellant has filed the writ petition only in the year 2014 i.e, 5 years after his retirement and taking into consideration the delay on the part of the appellant in approaching this Court, therefore, the Writ Court has rightly dismissed the Writ Petition. This Court is in complete agreement with the view taken by the learned Single Judge and finds no merit in this writ appeal.

6. This Writ Appeal stands dismissed accordingly. No costs.

**(J.NISHA BANU J.) (M.JOTHIRAMAN J.)**  
**08-07-2025**

ASI



WEB COPY



W.A.No.2250 of 2022

**J. NISHA BANU. J.**  
**AND**  
**M. JOTHIRAMAN, J.**

ASI

To

1. The Secretary,  
State of Tamil Nadu,  
Backward Classes, Most Backward Classes and Minorities Welfare  
Department, Fort St. George, Secretariat,  
Chennai-600 009.
2. The Managing Director,  
Tamil Nadu Minorities Economic Development Corporation Ltd.,  
now having its office at First Floor,  
Khalas Mahal, Heritage Building,  
Chepauk, Chennai-600 005.

**W.A.No.2250 of 2022**

**08-07-2025**