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W.P No. 5913 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

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THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P No. 5913 of 2017

and WMP.Nos. 6329 and 6404 of 2017

1.B.kannan

2.R.Rajesh

..Petitioners

Vs

1.The State of Tamilnadu

Rep by Principal Secretary to Government

Finance Department,

For St.George, Chennai-600009.

2.The Transport Commissioner,

Ezhilagam, Chepauk,

Chennai-600005.

..Respondents

Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorari, calling for the records of the 1st respondent in Letter No. 53137/pay Cell/2015-1, dated 25.09.2015 and quash the same insofar as the recruitment by promotion to the petitioners are concerned and pass such further or other orders.

For Petitioners : M/s. M. Muthappan

For Respondents : Dr S.Suriya, AGP

ORDER



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The petitioners, who are serving in the Transport Department in the capacities of Regional Transport Officers and Motor Vehicle Inspector Grade-I, have approached this Court challenging the clarificatory order dated 25.09.2015 issued by the first respondent. By the said order, it is clarified that the employees appointed by direct recruitment, recruitment by transfer, or by promotion to the 52 categories of posts covered under G.O. Ms. No. 242, Finance (PC) Department, dated 22.07.2013 are governed by the said Government Order.

2. The impugned clarificatory letter had earlier been challenged before this Court in W.P. Nos. 34146 of 2015 and other connected cases. The Coordinate Bench of this Court, by order dated 26.02.2020, disposed of the said writ petitions based on the submissions of the learned counsel appearing for the petitioners as well as the Government. It was held that, in view of the exhaustive directions issued by the Hon'ble Supreme Court in ***Civil Appeal Nos. 10030–10189 and 10190–10192 of 2017, by order dated 28.11.2019***, the writ petitioners therein were entitled to the benefits claimed. The relevant paragraphs are extracted below:

“18. But, it has been more than five years since the directions were issued by the Division Bench of the High Court and as a result of the interim orders passed by this Court, the PGRC could not be set



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up. In the circumstances, certain modifications in the directions issued by the Division Bench in para 5 of its order are called for and we proceed to direct:-

(A) Direction No.(i) as issued by the Division Bench is reiterated except that Mr. Justice A.S.Venkatachalamoorthy having now expressed his unwillingness, Mr. Justice D. Murugesan, formerly Chief Justice, High Court of Delhi is appointed as Chairman of the Pay Grievance Redressal Committee.

(B) Direction No.(ii) as issued by the Division Bench is accepted and it is added that the Chairman of the PGRC will be at liberty to co-opt any two experts as he deems appropriate as members of the PGRC, who shall be paid such honorarium by the State Government, as the Chairman deems appropriate.

(C) Direction Nos.(iii) and (v) to (vii) issued by the Division Bench are accepted and do not call for any change.

(D) Instead of Rs.1.5 lakhs per month, we fix the honorarium of the Chairman of the PGRC at Rs.3.5 lakhs per month but the other parts of Direction No.(viii) are maintained.

(E) Direction No.(ix) issued by the Division Bench is accepted and does not call for any change.

(F) It is further directed:-

a) Within a week from today, the State Government shall issue appropriate orders constituting the PGRC as stated above.

b) Within a week thereafter, the State Government shall make appropriate and adequate arrangements and provide office space befitting the status of the Chairperson and other Members and also provide adequate staff, secretarial assistance and other facilities.

c) Within two weeks of the constitution of the PGRC all the concerned individuals/associations shall file their representations. No representation filed beyond the period of two weeks shall ordinarily be accepted by the PGRC.

d) Direction No. (iv) issued by the Division Bench shall stand modified to the aforesaid extent.



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e) These directions are in addition to and in further elaboration of direction No. (vii) issued by the Division Bench."

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3. In view of the directions issued by the Coordinate Bench of this Court, the present writ petition is disposed of in terms of the order passed in the aforesaid writ petition , as the claims raised herein are also governed by the directions issued by the Hon'ble Supreme Court in the civil appeals cited supra. No costs. Consequently, the connected miscellaneous petitions are also closed.

05.12.2025

Index : Yes/No
Internet : Yes/No
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To

1.The Principal Secretary to Government
Finance Department,
For St.George, Chennai-600009.

2.The Transport Commissioner,
Ezhilagam, Chepauk,
Chennai-600005.



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HEMANT CHANDANGOUDAR, J.

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