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W.P No. 17222 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2025

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THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P No. 17222 of 2017

and WMP. Nos. 18729 & 18730 of 2017

1.V.C.Sakthivel

2.P.Karunanidhi

3.N.M.T. Solomon Selvasekar

4.A.Velevar

5.R.K.Parimelalagan

6.MR.Ramanathan

..Petitioners

Vs

1.Commissioner & Secretary to Government
Agriculture Department
Fort St.George,
Chennai-600009.

2.Deputy Secretary to Government
Agriculture (OS) Department,
Fort St.George,
Chennai-600009.

3.Commissioner/Director of Agriculture
Chepauk, Chennai-600005.

..Respondents



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Writ Petition is filed under Article 226 of Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings of the 2nd respondent in Letter No. 25637/OS/20212-4 dated 01.02.2014 quash the same and direct the respondents to pay the petitioners salary on par with that of Assistant Directors of Agriculture namely in the Pay Scale of 15600-39100 with Grade Pay of 6600 notionally from 01.10.2006 with monetary benefits from 01.12.2010 and pass such other or further orders.

For Petitioners : M/s.V.S.Manimekalai

For Respondents : Mrs. R.L.Karthika, GA

ORDER

All the writ petitioners in these writ petitions, who worked as Joint Directors of Agriculture, Coimbatore, are before this Court challenging the Government Order whereby the State Government has decided to refix the Pay Band/Grade Pay based on the findings and recommendations of the Pay Grievance Redressal Committee, 2019, and seeking other consequential reliefs.

2. The issue involved in the present writ petitions was examined by the Coordinate Bench of this Court in ***W.P.(MD) No. 17163 of 2002 and the connected batch, by order dated 04.04.2024.*** The Coordinate Bench, in paragraph 82 to 84 of the said order, observed as follows:



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“82. The new PGRC need not bind itself or restrict its decision making process by applying its mind on the OMC, G.O.Ms.No.234 dated 01.6.2009, G.O.Ms.No.71 dated 22.6.2011, the PGRC 2012, G.O.Ms.No.242 dated 22.7.2013 and the PGRC 2019, which resulted in the issuance of consequential impugned Government Orders. The new PGRC shall consider the issue afresh by dealing with the representations given by the associations/individual employees of various departments.

“83. The upshot of the above discussions leads to the following conclusions and directions issued by this Court :

(i) The report of the PGRC 2019 and the consequential impugned Government Orders issued are hereby set aside;

(ii) The Government shall constitute a new PGRC under the Hon'ble Mr.Justice M.Sathyanarayanan, formerly Judge of High Court, Madras, who shall be the Chairman of the new PGRC;

(iii) The Chairman of the new PGRC is at liberty to co-opt two experts as he deems appropriate as Members of the new PGRC and it will be more appropriate to co-opt members, who had experience on the financial side and also on the engineering side;

(iv) The Government is at liberty to nominate one or two senior level IAS officer(s) at the level of Principal Secretary, serving or retired as Member(s) of the new PGRC;

(v) The remuneration for the Chairman of the new PGRC shall be fixed at Rs.3.5 lakhs per month remuneration of the two Members to be co-opted shall be fixed at Rs.2 lakhs each



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per month;

(vi) It is left open to the Government to fix the remuneration of the Member(s) of the Committee to be nominated by the Government, if he/she is/they are retired IAS Officer(s);

(vii) The Government is directed to constitute the new PGRC within a period of four weeks from the date of receipt of a copy of this order and the Government shall grant six months' time for the new PGRC to submit its recommendations regarding the enhancement/reduction of the pay scales/grade pay of 52 or more categories of 20 or more departments, etc.;

(viii) The terms of reference of the new PGRC shall also be to examine the recommendations of the Seventh Central Pay Commission on the scales of pay and other allowances and make necessary recommendations in consequence of the recommendations to be made as per Clause (vii);

(ix) While making the recommendations on the scales of pay/grade pay, the new PGRC shall take into account the historical parity, local conditions, qualifications, the nature of duties, the job responsibilities attached to the post and the local relativities. This shall also include the revision of pension, family pension, retirement benefits, etc., and the new PGRC shall make necessary recommendations;

(x) In view of the direction issued by this Court for constitution of the new PGRC, the present status quo shall be maintained until a fresh decision is taken by the Government based on the recommendations to be given by the new PGRC;



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(xi) As clarified in the earlier order passed by the Division Bench in W.A.No 1271 of 2021 dated 27.4.2021, the pay protection that was given by virtue of the interim orders will be subject to the result of the recommendations to be given by the new PGRC, which will be implemented by the State Government; if any excess payment has been made to the petitioners, the same shall be repaid back in view of the undertaking that was given before this Court;

(xii) There shall be a direction to the State Government to make available the office premises with supporting staff and to provide a Government car with driver for the used of the Chairman of the new PGRC for the effective functioning of the Committee; and

(xiii) Within four weeks of the constitution of the new PGRC, all the concerned individuals/associations shall file their respective representations and it is made clear that no representations will be entertained beyond the period of four four weeks.

84. All the above writ petitions are accordingly allowed in the above terms. No costs. Consequently, all connected pending miscellaneous petitions are closed."

3. In light of the directions issued by the Coordinate Bench in the batch of writ petitions cited supra, this writ petition is allowed on the same terms. Consequently, the connected Miscellaneous Petitions are closed. There shall be no order as to costs.



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4. However, liberty is reserved to the legal representatives of the deceased first petitioner to make a representation before the respondent, in terms of the directions issued by the Coordinate Bench of this Court cited supra.

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Index : Yes/No
Internet : Yes/No
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HEMANT CHANDANGOUDAR, J.

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