



W.A.No.1376 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 09.06.2025

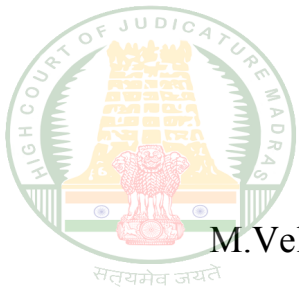
CORAM :

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN  
AND  
THE HON'BLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

W.A.No.1376 of 2025

1. The State of Tamil Nadu  
rep by its Principal Secretary to Government  
Department of Higher Education  
Fort St.George, Secretariat  
Chennai 600 009
  2. The Director of Collegiate Education  
Directorate of Collegiate Education  
9<sup>th</sup> Floor, EVK Sampath Maligai  
College Road, Chennai 600 006
  3. The Joint Director  
Scheme and Development  
Directorate of Collegiate Education  
9<sup>th</sup> Floor, EVK Sampath Maligai  
College Road, Chennai 600 006
  4. The Principal  
Government Arts and Science College  
Aandipatti - 625 512  
Theni District
- .. Appellants

v.



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M.Velusamy

.. Respondent

**WEB COPY** Memorandum of Grounds of Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 26.03.2024 passed in W.P.No.21788 of 2021.

For Appellants :: Mr.D.Ravichandar  
Special Government Pleader

For Respondent :: Mr.M.R.Jothimanian

**JUDGMENT**

(Judgment of the Court was made by R.SUBRAMANIAN,J.)

We see no reason to interfere with the order of the learned single Judge.

2. Admittedly, the respondent was working on a daily wage basis as Sweeper cum Scavenger in the constituent Arts College run by the Madurai Kamaraj University between 04.04.2005 and 31.10.2012. Thereafter, he was appointed as Sweeper cum Watchman on a consolidated pay from 01.11.2012. The said college was taken over by the Government and was re-christened as Government Arts and Science College, Andipatti. The respondent sought for fixation of regular time scale of pay. The said request



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was rejected, relying upon G.O.(Ms.)No.385, Finance (Pay Commission)

Department dated 01.10.2010, on the ground that the respondent has not completed three years of service in the Government or in Government department.

3. The writ Court found that the reliance placed upon G.O.(Ms.)No.385 is completely misconceived. The writ Court relied upon G.O.(Ms.)No.36, Higher Education Department dated 28.02.2019, which provides for job protection to persons working in such constituent colleges and universities, which were taken over by the Government, till such time a new appointment is made. Admittedly, till date, no new appointment has been made or new vacancies have been identified.

4. It is stated that the respondent has been working in the same capacity on a consolidated pay even now. The writ Court considered the impact of G.O.(Ms.)No.36 and concluded that the respondent would be entitled to special time scale of pay. The order of the writ Court only recognises the eligibility of the respondent to get special time scale of pay,



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on the strength of the job protection afforded to him under G.O.(Ms.)No.36

dated 28.02.2019. Hence, we see no reason to interfere with the order. The

Government is granted eight weeks time to comply with the order of the

learned single Judge. The writ appeal is, accordingly, dismissed.

Consequently, C.M.P.No.10621 of 2025 is also dismissed. No costs.

Index : yes/no

Neutral citation : yes/no

(R.S.M.,J.) (K.G.T.,J.)

09.06.2025

ss

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