



W.P.No.45158 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.45158 of 2025
and W.M.P.Nos.50305 & 50306 of 2025

A.Arunachalam

... Petitioner

Vs.

1.THE GOVERNMENT OF TAMILNADU,
REP BY ITS SECRETARY, FINANCE(PAY CELL)DEPARTMENT,
FORT ST.GEORGE, CHENNAI-600 009

2.THE GOVERNMENT OF TAMILNADU,
REP BY ITS PRINCIPAL SECRETARY, SCHOOL EDUCATION
DEPARTMENT, FORT ST.GEORGE, CHENNAI-600 009

3.THE DIRECTOR OF SCHOOL EDUCATION,
CHENNAI-600 006

4.THE ACCOUNTANT GENERAL,
OFFICE OF THE ACCOUNTANT GENERAL(A & E),
CHENNAI-600 018

5.THE HEAD MASTER,
GOVERNMENT BOYS HIGHER SECONDARY SCHOOL, POLUR,
THIRUVANNAMALAI DISTRICT

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the proceeding of the 2nd respondent dated 17.02.2020 in letter No.2021/SE7(1)/2020-1, quash the same and further direction, directing the respondents to fix the pay and all the consequential benefits by applying Rule 4(iii) of the Tamilnadu Revised scale of pay Rules

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For Petitioner : Mr.R.Saravanakumar
For Respondents
For R1 : Mr.Azizullah Khan,
Government Advocate

For R2 to5 : Mrs.S.Mythreye Chandru,
Special Government Pleader

ORDER

This Writ Petition has been filed to quash the order of the 2nd respondent dated 17.02.2020 in letter No.2021/SE7(1)/2020-1 and consequently to direct the respondents to fix the pay and all the consequential benefits by applying Rule 4(iii) of the Tamilnadu Revised scale of pay Rules 2009.

2. The issue involved in this writ petition has already been dealt with by this Court in WP.no.11380 of 2025 and this Court by order dated 17.11.2025, dismissed the writ petition. The relevant portion of the said order is extracted hereunder:

“9. In the similar matter, the Hon’ble Single Judge of this Court in a batch of Writ Petition in W.P.No.15570 of 2021 etc., by an order 29.02.2024 held that, in view of the real import of Rule 4(1)(iii) of the Rules read with Government Letter No.51082/Pay Cell/2010-1 dated

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15.09.2010 along with the additional fitment table No.15, the petitioners

in that batch are entitled to the relief as prayed. Based on the said order, this Court also allowed one of the Writ Petitions filed by the vocational teacher in W.P.No.28871 of 2023 by an order dated 01.08.2024, stating that the Rule does not distinguish the pre-existing pay scales whether ordinary or selection grade. The government letter dated 08.11.2010 is clear that the Rule does not distinguish the originally scale of pay or selection grade pay scale in any manner.

10. *But the respondents preferred Writ Appeals as against the order passed by this Court and the Madurai Bench of this Court in a batch of Writ Appeal in W.A(MD)No.468 of 2025 etc., by the common judgment dated 29.08.2025, allowed all the Writ Appeals and set aside the order passed by the learned Single Judge of this Court. The relevant portion of the judgment is as follows:-*

“9.When the pay commission recommendations were enforced, it gave rise to certain anomalies. To examine the same, the State Government constituted a One Man Commission vide G.O.(Ms)No.449 Fiance Department dated 09.09.2009. The One Man Commission went into the anomalies and offered its recommendations in respect of various departments.



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Accepting the said recommendations, the government issued a series of government orders (ie., G.O. (Ms)No.254 Finance Department dated 26.08.2010 to G.O.(Ms)No.340 Finance Department dated 26.08.2010). For instance, G.O.(Ms)No.254 dated 26.08.2010 pertained to the post of Steno-Typist Grade 1. G.O. (Ms)No.255 dated 26.08.2010 pertained to Superintendent in Governance Household. G.O. (Ms)No.273 dated 26.08.2010 pertained to the post of Superintendent of Physical and Training Officer in the department of Employment and Training. Thus, each of the 87 government orders pertained to either a post following under common category or to a particular post in a particular department. Consequent to the revision of pay scales pursuant to the implementation of the recommendation of the One Man Commission, the scales of pay of some of the categories in various departments were elevated from one pay band to another pay band. In order to fix their pay, additional fitment tables were required. Accordingly, the Principal Secretary to Government, Finance Department, Government of Tamil Nadu issued letter dated 15.09.2010 containing additional fitment tables 1 to 17. The Heads of the department / pay fixing authority were called upon to adopt the relevant additional fitment table for fixing the pay of the employees whose scales of pay have been revised based on the government orders issued vide G.O.



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(Ms)No.254 to G.O.(Ms)No.340 dated 26.08.2010.

10. From this, one can easily come to the conclusion that in order to apply the additional fitment table 15, it must be shown that the post of Vocational Instructors is covered in one of the government orders from G.O.(Ms)No.254 to G.O.(Ms)No.340 dated 26.08.2010. The corollary is that if the post of Vocational Instructors is not covered under any of the aforesaid 87 government orders, the question of applying the additional fitment table 15 will not arise at all.

11. Instead of approaching the issue from the above perspective, the learned Judge posed a question if Rule 4(1)(iii) is applicable. After observing that the claim of the writ petitioners rests on Rule 4(1)(iii), reference is then made to the additional fitment table 15. Upon being satisfied that the grievance of the writ petitioners is justified and that their case will fall under Rule 4(1)(iii), the learned Single Judge abruptly arrives at the conclusion that the writ petitioners are entitled to relief as sought for. In that view of the matter, the proceedings dated 17.02.2020 issued by the Secretary to Government, Education Department was set aside and the government was directed to reconsider the pay fixation with additional fitment table 15 vide order dated 29.02.2024 made in W.P.No.15570 of 2021 (C.Arumugam Vs. State of Tamil Nadu).



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12. We cannot approve the aforesaid order made in W.P.No.15570 of 2021. This is for more than one reason. Firstly, the learned Single Judge had failed to note that additional fitment table 15 can be applied only if it is shown that the pay band of the post in question had been elevated from one pay band to another pay band on account of implementation of the recommendations of the One Man Commission. Nowhere such a finding has been given. Secondly, according to the learned Single Judge, if Rule 4(1)(iii) is applied in its real sense, additional fitment table 15 has to be applied to the post of Vocational Instructors also. This is incorrect. There is no logical basis for linking Rule 4(1)(iii) of Tamil Nadu Revised Scale of Pay Rules, 2009 with the additional fitment tables annexed to government letter dated 15.09.2010. Thirdly, matters relating to pay fixation cannot be adjudicated by the Writ Courts since they have large financial implications. They are essentially policy decisions to be taken by the government.

13. Not all Vocational Instructors were getting the same pay as on 01.01.2006. Their pay was revised by applying the multiplying their existing basic pay as on 01.01.2006 by a factor of 1.86 and rounding off the resultant figure to the next multiple of 10. As per Rule 4(1)(ii), if the minimum of the revised pay band / pay



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scale is more than the amount arrived at as per the method mentioned above, it shall be fixed at the minimum of the revised pay band / pay scale. The consequence of adopting this method was that those who were getting higher pay as on 01.01.2006 and those who were getting lesser pay in the post of Vocational Instructors got bunched and were placed at the same level. This had to be necessarily set right. Rule 4(1)(iii) of the Tamil Nadu Revised Scale of Pay Rules, 2009 provided the solution. Since the Vocational Instructors placed their grievances complaining of anomalies, the Pay Grievance Cell was constituted under G.O.(Ms)No.123 Finance Department dated 10.04.2012. Based on its recommendations, G.O. (Ms)No.263 Finance Department dated 22.07.2013 was issued and the revision took place as follows:

Name of the Post	Existing scale of pay + Grade pay	Revised scale of pay + Grade pay
Vocational Teachers / Instructors	9300 – 34800 + 4400	9300 – 34800 + 4600

It is clear from above that the revision that was made was only in respect of grade pay. The pay band was not all at touched or revised. The pay scale or the pay band of the Vocational Instructors remained the same and it was not elevated from one level to another level. As already



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mentioned, only if there is revision from one pay band to higher level, the additional fitment table will apply and not otherwise. The migration from one pay band to higher pay band is a pre-requisite condition for invoking additional fitment table. This pre-condition has not been fulfilled in the case of Vocational Instructors. To reiterate, revision should be in the case of ordinary grade scale of pay. The ordinary grade scale of Vocational Instructors did not witness any migration to higher level consequent to the recommendation of One Man Commission vide G.O.(Ms)Nos.254 to 340 Finance Department dated 26.08.2010.

14.What was revised was only the pay scales of those Vocational Instructors who were in the selection grade. Their pay scales was revised to Rs.15,600 - 39100+ GP 5400/-. The pay scale of those Vocational Instructor in the special grade was revised to Rs.15,600 – 39100 + GP 5700/-. When the government vide letter No.66858/CMPC/2013-2 dated 22.08.2014 took the stand that the revised selection grade scale of pay for the Vocational Instructors would also be Rs.9300 – 34800 + GP 4800/-, it was quashed vide order dated 19.03.2018 in W.P.(MD)No.2654 of 2018 etc batch. The order passed in the aforesaid writ petitions was also implemented by the government vide G.O.(Ms)No.306 Finance Department dated 12.09.2018.



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Thus, the grievances of the Vocational Instructors in selection grade and special grade have already been redressed. The Vocational Instructors were originally treated on par with B.T. Assistants. The B.T. Assistants had two promotional opportunities. The first level of promotion was as P.G. Assistant / High School Headmaster and the second level was as Higher Secondary School Headmaster. If a B.T. Assistant stagnated without getting promotion, the selection grade / special grade scale of pay has to be fixed by restricting to the first level and second level promotion post, as a result, the position of B.T. Assistant was as follows:

<i>Ordinary Grade</i>	<i>Selection Grade</i>	<i>Special Grade</i>
<i>9300-34800+G.P.4600</i>	<i>9300-34800+G.P.4800</i>	<i>15600-39100+G.P.5700</i>

15.The learned Advocate General commented that even though the educational qualification of Vocational Instructors cannot be compared at all to that of a B.T. Assistant still, a selection grade Vocational Instructor gets more grade pay whereas a special grade Vocational Instructor is in a far higher pay scale.

16.For those in higher administrative grade or in pay band 4, the benefits of increment due to bunching shall be given taking into account all the stages in different pay scales in that grade. Admittedly, the



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Vocational Instructors do not fall in higher administrative grade and they are not in pay band 4. Therefore, they cannot invoke the said rule.”

11. The Hon’ble Division Bench of the Madurai Bench of this Court categorically held that revision that was made was only in respect of grade pay. The pay band was not at all touched or revised. The pay scale or the pay band of the Vocational Instructors remained the same and it was not elevated from one level to another level. If there is revision from one pay band to higher level, the additional fitment table will apply and not otherwise. Therefore, the judgment cited by the learned counsel appearing for the petitioner is not at all applicable to the cases on hand for the simple reason that the Rule 4 of the Rules is not applicable to the petitioner.

12. Insofar as the vocational teachers are concerned, there were one migration to higher pay band. They were granted only selection grade. Therefore, the vocational teachers do not fall in higher administrative grade and they are not in pay band No.4 and as such the Rule 4 of the Rules is not applicable to the petitioners. Hence the order dated 17.02.2020 doesn’t suffer with any infirmity and this Court finds no



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infirmity or illegality in the order impugned in these Writ Petitions.

Further the Writ Petitions sought for direction to apply the Rule 4(1) of the Rules also cannot be considered since the Rule doesn't apply to the petitioners.”

3. Therefore, the same order can be passed in this writ petition as well. Accordingly, this Writ Petition is dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN. J.

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FORT ST.GEORGE, CHENNAI-600 009

2.THE GOVERNMENT OF TAMILNADU,
REP BY ITS PRINCIPAL SECRETARY, SCHOOL EDUCATION
DEPARTMENT, FORT ST.GEORGE, CHENNAI-600 009

3.THE DIRECTOR OF SCHOOL EDUCATION,
CHENNAI-600 006

4.THE ACCOUNTANT GENERAL,
OFFICE OF THE ACCOUNTANT GENERAL(A & E),
CHENNAI-600 018

5.THE HEAD MASTER,
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