

W.A.(MD)No.2669 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.10.2025**

CORAM:

THE HONOURABLE **Dr.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **Mr.JUSTICE C.KUMARAPPAN**

W.A.(MD)No.2669 of 2025 &
C.M.P.(MD)No.15147 of 2025

1.The Principal Secretary to Government,
Finance Department, Fort St.George, Chennai - 9.

2.The Principal Secretary to Government,
School Education Department,
Fort St.George, Chennai - 9.

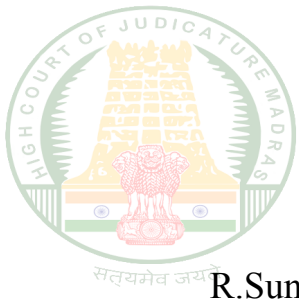
3.The Director of School Education,
Directorate of School Education,
DPI Complex, College Road,
Chennai.

4.Accountant General,
Office of the Accountant General (A & E),
361, Anna Salai, Teynampet,
Chennai - 600 018.

5.The Joint Director (Vocational),
Directorate of School Education,
DPI Complex, College Road,
Chennai.

... Appellants

/Vs./



W.A.(MD)No.2669 of 2025

R.Sundarapandian

... Respondent

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PRAYER:- Writ Appeal - filed under Clause XV of Letters Patent Act, to set aside the order dated 31.07.2024 passed by this Court in W.P. (MD)No.17789 of 2024.

For Appellants : Mr.J.Ashok
Additional Government Pleader

For Respondent : No appearance

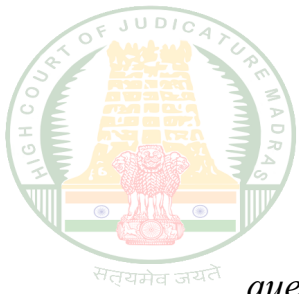
JUDGEMENT

(Order of the Court was made by **Dr.ANITA SUMANTH, J.**)

No appearance for the respondent.

2. Mr.J.Ashok, learned Additional Government Pleader appearing for the appellants states that the issue that arises for consideration is covered by an order passed on 06.10.2025 in W.A. (MD)No.2567 of 2025, wherein, we have applied the ratio of the order in W.A.(MD)No.468 of 2025, dated 29.08.2025 in favour of the State. The operative portion of the latter order is as follows:-

“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



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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 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

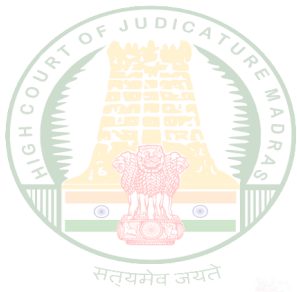


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It is clear from above that the revision that was made was only in respect of grade pay. The pay band was not all at touched or revised. The pay scale or the pay band of the Vocational Instructors remained the same and it was not elevated from one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



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ABSTRACT

W.P.(MD)Nos.2654, 2924, 2663 of 2018 and W.P.(MD).Nos.15980, 17197 of 2014 filed by Thiru.L.Natarajan and other Vocational Instructors of School Education Department – Complying orders of Hon'ble Madurai Bench of Madras High Court – Applicability of revised Selection Grade scale of pay – Orders – Issued.

Finance (CMPC) Department

G.O.Ms.No.306

Dated:12-09-2018,
Vilambi, Aavani-27,
Thiruvalluvar Aandu, 2049.

Read:

1. G.O.Ms.No.234, Finance(PC)Department, dated:01.06.2009.
2. Government Letter No.63305 / PC / 2010-1, Finance Department, dated:08-11-2010.
3. G.O.Ms.No.23, Finance (PC) Department, dated:12-01-2011.
4. Government Letter No.14483 / CMPC / 2011-1, Finance Department, dated:05.01.2012.
5. G.O.Ms.No.237, Finance(PC)Department, dated:22.07.2013.
6. G.O.Ms.No.263, Finance (PC) Department, dated:22-07-2013.
7. Government Letter No.66858 / CMPC / 2013-2, Finance Department, dated:22.08.2014.
8. Orders of the Hon'ble Madurai Bench of Madras High Court in W.P.(MD).Nos.2654, 2924 and 2663 of 2018 and W.P.(MD).Nos.15980 & 17197 of 2014 dated:19.03.2018.

ORDER:

In the Government Order first read above, orders were issued to revise the scale of pay of State Government Employees / Teachers corresponding to the pre-revised pay scales notionally with effect from 01.01.2006 with monetary benefit from 01.01.2007 based on the recommendations of the Official Committee 2009. The employees on award of Selection Grade / Special Grade on completion of 10/20 years of service in the revised scales of pay were granted the benefit of one increment equal to 3% of basic pay including grade pay in the same Pay Band and Grade Pay.

2. Subsequently in the Government letter second read above, orders were issued to the effect that even in case of employees awarded Selection Grade / Special Grade between 01.01.2006 and 31.05.2009 i.e. prior to the orders issued in ..p.t.o..



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the Government Order first read above, they were also permitted to exercise their option to come over to the revised scales of pay on the date of their award of Selection Grade / Special Grade by foregoing the arrears entitled to them with effect from 01.01.2007, so that they were also allowed the same benefit as that of the employees who were awarded Selection Grade / Special Grade prior to 01.01.2006. In the said Government Letter, it was also ordered that the Selection Grade / Special Grade scales of pay annexed to the letter is applicable to all employees who were awarded Selection Grade / Special Grade prior to 01.01.2006 and also employees awarded Selection Grade / Special Grade between 01.01.2006 and 31.05.2009 and opting to come over to the revised scales on the date of award of Selection Grade / Special Grade. Further these Selection Grade / Special Grade scales of pay is also applicable to cases whose ordinary scales of pay have been revised based on the recommendation of One Man Commission / further orders of Government subject to the condition that if the revised Selection Grade / Special Grade scales of pay indicated in Annexure-I happens to be higher than the first level/ second level promotion posts, then in such cases, the revised Selection Grade / Special Grade should be restricted to the level of their first level and second level promotional posts respectively.

3. In the Government Order third read above, the scale of pay of BT Assistants were revised from Rs.9300-34800 + G.P. 4400 to Rs.9300-34800 + G.P. 4600 notionally with effect from 01.01.2006 with monetary benefit from 01.01.2011. As per adhoc rules, the first and second level promotion for the post of BT Assistants is Headmaster High School (Rs.9300-34800 + G.P. 4600) and Headmaster of Higher Secondary School / District Educational Officer (Rs.15600-39100 + G.P. 5700). Considering the above first level and second level promotional posts of BT Assistants, the applicable revised Selection Grade / Special Grade scale of pay of BT Assistants was indicated in the Government Letter fourth read above as follows:

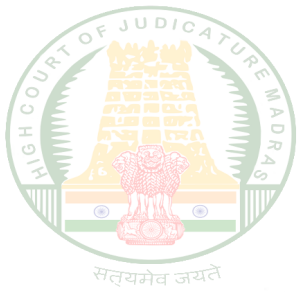
BT Assistant

1. Ordinary Grade – Rs.9300-34800 + G.P. Rs.4600
2. Selection Grade – Rs.9300-34800 + G.P. Rs.4800
3. Special Grade – Rs.15600-39100 + G.P. Rs.5700

4. In the Government Order fifth read above, based on the Pay Grievance Redressal Cell an additional increment benefit (over and above the existing one increment benefit) equivalent to 3% + 3% of basic pay (Pay + Grade pay) granted to the employees on award of Selection Grade / Special Grade in the revised scales of pay implemented with effect from 01—01—2006.

5. In the Government Order sixth read above, the scale of pay of Vocational Instructors were revised from Rs.9300-34800 + G.P. 4400 to Rs.9300-34800 + G.P. 4600 notionally with effect from 01.01.2006 with monetary benefit from 01.04.2013 based on the Pay Grievance Redressal Cell recommendations. As Vocational Instructors are considered to be equivalent with BT Assistants, the Selection Grade pay was also regulated in the scale of pay of Rs.9300-34800 + G.P. 4800 and the same clarified vide letter seventh read above.

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6. In the judgment order eighth read above, orders were passed by the Hon'ble Madurai Bench of Madras High Court dated:19.03.2018 to allow the Selection Grade scale of pay of Vocational Instructors at Rs.15600-39100 + G.P. Rs.5400 notionally with effect from 01.01.2006 with monetary benefit from 01.04.2013.

7. As there are no promotional avenues for the post of Vocational Instructors, it would not be appropriate to restrict their Selection Grade / Special Grade scales of pay as that of BT Assistant who are having promotional prospects of elevating to the post of Head Master High School / Head Master Higher Secondary School / District Educational Officer. In the light of the above facts, the Government has decided to implement the orders of the Madurai Bench of Madras High Court dated:19.03.2018 in W.P.(MD).Nos.2654, 2924 & 2663 of 2018 and 15980 & 17197 of 2014. Accordingly, the Government direct that the Selection Grade Scale of Pay of Vocational Instructors who were awarded Selection Grade prior to 01.01.2006 and in the case of employees who have exercised their option to come over to the revised scales of pay on the date of their award of Selection Grade between 01.01.2006 and 31.05.2009 shall be refixed in the scale of pay at Rs.15600-39100 + G.P.5400 notionally with effect from 01.01.2006 or the date of award of Selection Grade in the post of Vocational Instructor with monetary benefits from 01.04.2013.

8. The above orders shall be applicable to all the Vocational Instructors who were awarded Selection Grade prior to 01.01.2006 and those awarded Selection Grade between 01.01.2006 and 31.05.2009 and opted for the revised scales of pay on that date irrespective of the fact as to whether they filed separate Writ Petitions or not.

9. The arrears of pay and allowances shall be drawn and paid to the individuals with effect from 01-04-2013 as per the orders in force.

(BY ORDER OF THE GOVERNOR)

K. SHANMUGAM,
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT

To

The Principal Secretary to Government, School Education Department,
Secretariat, Chennai-9.
The Director, School Education Department, Chennai-6.
The Accountant General (A&E) Chennai-18.
The Accountant General (CAB), Chennai-9/Madurai.
The Director of Treasuries and Accounts, Chennai-35.
The Pay and Accounts Officer, Secretariat, Chennai-9.
The Pay and Accounts Officer, (North/South/East), Chennai-1 /35 / 5.
The Pay and Accounts Officer, Madurai-625 001.
All Treasury Officer/Sub-Treasury Officers.

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

17.Looked at from any angle, the order of the learned Single Judge cannot be sustained. It is set aside. These writ appeals are allowed. No costs. Consequently, connected miscellaneous petitions are closed.”



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3. In light of the identity of the issue, this writ petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

[A.S.M.J.] & [C.K.J.]
15.10.2025

NCC :Yes/No
Index :Yes/No
Internet :Yes

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Dr.ANITA SUMANTH, J.
AND
C.KUMARAPPAN, J.

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Order made in
W.A.(MD)No.2669 of 2025

Dated:
15.10.2025