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W.P.(MD) No.21919 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.21919 of 2021

M.Madasamy

... Petitioner

-VS-

1.The Secretary to Government
Agricultural Production Commissioner
Agriculture Department
Fort St.George, Chennai-600 001

2.The Director of Agriculture
Agriculture Department
Chepalk, Chennai-600 004

3.The Joint Director
Agriculture Department
Viruthunagar
Viruthunagar District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records on the file of the respondents and by set a siding the order of the 3rd respondent dated



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18.07.2017 and directing the respondents to fix the correct scale of pay to the petitioner with retrospective effect.

For Petitioner : Mr.Usha Venkateshvaran

For Respondents : Mr.A.Baskaran
Additional Government Pleader

ORDER

This writ petition has been filed challenging the impugned order dated 18.07.2017, passed by the third respondent, rejecting the petitioner's request to correct his scale of pay with retrospective effect.

2. The third respondent, under the impugned order, has rejected the petitioner's request by holding that he is not eligible for revising his pay.

3. The following are the undisputed facts:

- (a) The petitioner has retired from service in the year 2018. He has also received his retirement benefits and is continuing to receive pension.



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- (b) The impugned order came to be passed on 18.07.2017. Whereas, this writ petition has been filed only in the year 2021, after a lapse of more than four years from the date of passing of the impugned order, which cannot be considered to be a reasonable period, in view of the fact that the petitioner has retired from service in the year 2018 itself.
- (c) The Tamil Nadu Revised Scales of Pay Rules, 2009, was issued in G.O.Ms.No.234, Finance (Pay Cell) Department, dated 01.06.2009. In accordance with the said Government Order, the petitioner's pay was fixed in the post of Special Grade Lab Assistant on 04.06.2006 in the revised scale of pay of Rs.4300-100-6000. As per G.O.Ms.No.240, Finance (Pay Cell) Department, dated 22.07.2013, employees were permitted to exercise re-option to come over to the revised scales of pay within a period of six months from the date of the said Government Order i.e., 22.07.2013, as a one-time measure. Admittedly, the



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petitioner did not exercise the said option within the stipulated time prescribed by the Government. Hence, as per the petitioner's earlier option dated 08.06.2009, his pay has been fixed in the Special Grade as Rs.10220+2800 G.P. in the pay band Rs.5200-20200+2800 G.P.

- (d) The petitioner has also retired from service on 31.01.2018. Therefore, now, at this belated stage, the question of revising his pay that too when he has not exercised his option as per G.O.Ms.No.240, Finance (Pay Cell) Department, dated 22.07.2013, does not arise.

4. For the foregoing reasons, this Court does not find any merit in this writ petition. Accordingly, this writ petition is dismissed. No costs.

17.09.2025

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

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ABDUL QUDDHOSE, J.

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