



W.P.(MD) No.s.23007 to 23018 of 2024

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[BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT]

Date of Reserving the Order	Date of Pronouncing the Order
06.11.2025	16.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU
W.P.(MD) Nos.23007 to 23018 of 2024

Ramesh	... Petitioner in W.P.(MD).No.23007 of 2024
Saravanan	... Petitioner in W.P.(MD).No.23008 of 2024
Chandrakala	... Petitioner in W.P.(MD).No.23009 of 2024
Pari	... Petitioner in W.P.(MD).No.23010 of 2024
John Peter	... Petitioner in W.P.(MD).No.23011 of 2024
Jeyakumar	... Petitioner in W.P.(MD).No.23012 of 2024
Murugesan	... Petitioner in W.P.(MD).No.23013 of 2024
Agnal Aruldass	... Petitioner in W.P.(MD).No.23014 of 2024
Ramachandran	... Petitioner in W.P.(MD).No.23015 of 2024
Lakshmanan	... Petitioner in W.P.(MD).No.23016 of 2024
Anbalagan	... Petitioner in W.P.(MD).No.23017 of 2024
Muthiah	... Petitioner in W.P.(MD).No.23018 of 2024

-VS-

1.The State of Tamil Nadu
Represented by its Secretary to Government,
School Education Department,
Secretariat, Chennai – 9.



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- 2.The Director of School Education,
DPI Campus, Chennai – 6.
- 3.The Chief Educational Officer,
Karur.
- 4.The District Educational Officer,
Karur. ... Respondents in all W.Ps
- 5.The Head Master,
Government High School,
Kurumbapatti, Karur District. ... Respondent in W.P(MD).No.23007 of 2024
- 5.The Head Master,
Government High School,
Muthampatti, Karur District. ... Respondent in W.P(MD).No.23008 of 2024
- 5.The Head Master,
Government High School,
Soundaraapuram,
Karur District. ... Respondent in W.P(MD).No.23009 of 2024
- 5.The Head Master,
Government High School,
Puthuvadi, Karur District. ... Respondent in W.P(MD).No.23010 of 2024
- 5.The Head Master,
Government High School,
K.Ottapatti, Karur District. ... Respondent in W.P(MD).No.23011 of 2024
- 5.The Head Master,
Government High School,
Naganoor, Karur District. ... Respondent in W.P(MD).No.23012 of 2024



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- 5.The Head Master,
Government High School,
Thennilai (Kadavur),
Karur District. ... Respondent in W.P(MD).No.23013 of 2024
- 5.The Head Master,
Government High School,
Koviloor, Karur District. ... Respondent in W.P(MD).No.23014 of 2024
- 5.The Head Master,
Government High School,
Thimmampatti,
Karur District. ... Respondent in W.P(MD).No.23015 of 2024
- 5.The Head Master,
Government High School,
Kuppandiyur, Karur District. ... Respondent in W.P(MD).No.23016 of 2024
- 5.The Head Master,
Government High School,
Nallooranpatti,
Karur District. ... Respondent in W.P(MD).No.23017 of 2024
- 5.The Head Master,
Government High School,
Aravakurichi, Karur District. ... Respondent in W.P(MD).No.23018 of 2024

PRAYER in W.P.(MD).No.23007 of 2024: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus or any other order or orders in



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the nature of Writ directing the respondents to pay the additional pay due for the period worked as Full Addition Charge in the post of Head Master from 01.01.2018 to 02.08.2018 in terms of G.O.(Ms).No.153, Personnel and Administrative Reforms (FR-IV) Department, dated 05.12.2017 within stipulated time based on the petitioner's representation dated 16.05.2023 to the third respondent through the fifth respondent and pass such other order.

PRAYER in W.P.(MD).No.23008 of 2024: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus or any other order or orders in the nature of Writ directing the respondents to pay the additional pay due for the period worked as Full Addition Charge in the post of Head Master from 01.06.2017 to 03.08.2018 in terms of G.O.(Ms).No.153, Personnel and Administrative Reforms (FR-IV) Department, dated 05.12.2017 within stipulated time based on the petitioner's representation dated 16.05.2023 to the third respondent through the fifth respondent and pass such other order.

PRAYER in W.P.(MD).No.23009 of 2024: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus or any other order or orders in the nature of Writ directing the respondents to pay the additional pay due for the period worked as Full Addition Charge in the post of Head Master from 01.06.2019 to 12.11.2019 and from 27.05.2020 to 06.11.2020 in terms of G.O. (Ms).No.153, Personnel and Administrative Reforms (FR-IV) Department, dated 05.12.2017 within stipulated time based on the petitioner's representation dated



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the nature of Writ directing the respondents to pay the additional pay due for the period worked as Full Addition Charge in the post of Head Master from 01.01.2018 to 02.08.2018 in terms of G.O.(Ms).No.153, Personnel and Administrative Reforms (FR-IV) Department, dated 05.12.2017 within stipulated time based on the petitioner's representation dated 29.05.2023 to the third respondent and pass such other order.

PRAYER in W.P.(MD).No.23013 of 2024: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus or any other order or orders in the nature of Writ directing the respondents to pay the additional pay due for the period worked as Full Addition Charge in the post of Head Master from 01.01.2018 to 02.08.2018 in terms of G.O.(Ms).No.153, Personnel and Administrative Reforms (FR-IV) Department, dated 05.12.2017 within stipulated time based on the petitioner's representation dated 16.08.2018 to the fourth respondent and pass such other order.

PRAYER in W.P.(MD).No.23014 of 2024: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus or any other order or orders in the nature of Writ directing the respondents to pay the additional pay due for the period worked as Full Addition Charge in the post of Head Master from 01.01.2018 to 04.08.2018 in terms of G.O.(Ms).No.153, Personnel and Administrative Reforms (FR-IV) Department, dated 05.12.2017 within stipulated time based on the petitioner's representation dated 06.08.2018 to the fourth



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respondent through the fifth respondent and pass such other order.

PRAYER in W.P.(MD).No.23015 of 2024: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus or any other order or orders in the nature of Writ directing the respondents to pay the additional pay due for the period worked as Full Addition Charge in the post of Head Master from 01.01.2018 to 02.08.2018 and from 01.06.2020 to 28.02.2022 in terms of G.O. (Ms).No.153, Personnel and Administrative Reforms (FR-IV) Department, dated 05.12.2017 within stipulated time based on the petitioner's representation dated 16.05.2023 to the third respondent through fifth respondent and pass such other order.

PRAYER in W.P.(MD).No.23016 of 2024: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus or any other order or orders in the nature of Writ directing the respondents to pay the additional pay due for the period worked as Full Addition Charge in the post of Head Master from 01.01.2018 to 01.08.2018 in terms of G.O.(Ms).No.153, Personnel and Administrative Reforms (FR-IV) Department, dated 05.12.2017 within stipulated time based on the petitioner's representation dated 29.05.2023 to the third respondent and pass such other order.

PRAYER in W.P.(MD).No.23017 of 2024: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus or any other order or orders in



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the nature of Writ directing the respondents to pay the additional pay due for the period worked as Full Addition Charge in the post of Head Master from 01.01.2018 to 04.08.2018 in terms of G.O.(Ms).No.153, Personnel and Administrative Reforms (FR-IV) Department, dated 05.12.2017 within stipulated time based on the petitioner's representation dated 15.05.2023 to the third respondent and pass such other order.

PRAYER in W.P.(MD).No.23018 of 2024: Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus or any other order or orders in the nature of Writ directing the respondents to pay the additional pay due for the period worked as Full Addition Charge in the post of Head Master from 01.01.2018 to 02.08.2018 in terms of G.O.(Ms).No.153, Personnel and Administrative Reforms (FR-IV) Department, dated 05.12.2017 within stipulated time based on the petitioner's representation dated 19.09.2018 to the third respondent through the fifth respondent and pass such other order.

In all W.Ps.

For Petitioner(s) : Mr.T.A.Ebenezer

For Respondent(s) : Mr.N.Satheesh Kumar

Additional Government Pleader



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COMMON ORDER

The above Writ Petitions have been filed by their respective petitioners seeking directions towards the respondents to pay the additional pay due for the period worked as Full Addition Charge in the post of Head Master for the period as indicated in the respective Writ petitions, according to the terms mentioned in G.O.(Ms).No.153, Personnel and Administrative Reforms (FR-IV) Department, dated 05.12.2017

2) Heard Mr.T.A.Ebenezer, learned counsel for the petitioners and Mr.N.Satheesh Kumar, the learned Additional Government Pleader appearing for the respondents.

3) Mr.Mr.T.A.Ebenezer, learned counsel for the petitioner would submit that the petitioners who are all holding the post of BT Assistants and being the senior most BT Assistants in the respective schools, have been holding the additional charge of Headmaster of the respective schools. According to him, the



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persons who were holding the post of additional charge were entitled for allowances as per Tamil Nadu Fundamental Rules 49 as amended on 05.12.2017.

4) He would submit that in spite of the representation, the petitioners had not been benefitted with the additional pay as mandated under the Fundamental Rules for holding full additional charge for the post of Headmaster. Hence, he seeks indulgence of this Court for issuance of a direction to pay the additional pay which the petitioners are entitled for holding full additional charge of the post of Headmaster for the respective periods.

5) Countering his arguments, Mr.N.Satheeh Kumar, learned Additional Government Pleader would submit that under Fundamental Rules 49, the additional charge that they are holding should be independent ie., it should be separate or distinct. The positions held by the petitioners as BT Assistants and Headmaster according to him are separate and distinct and their daily normal duty has not been altered and therefore, they are not entitled for additional charge allowance. He would further submit that the special pay as envisaged under G.O. (Ms).No.303, Finance (Pay Cell) Department dated 11.10.2017 had also been



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paid to the petitioners and therefore, they are not entitled to make any claim for additional allowance for holding the full additional charge of an independent post. Hence, he prays this Court to dismiss the Writ Petition.

6) I have considered the submissions made by the learned counsels appearing on either side and perused the materials available on record.

7) There is no dispute that the petitioners who are senior most BT Assistants in the respective schools have held the post of Headmaster as additional full charge. The payment of additional pay for holding full additional charge of a post is governed by Fundamental Rule 49. It is the claim of the respondents that there can be no additional pay as the post of Headmaster and BT Assistants are not separate and distinct. But, however, it is an admitted fact that the senior most BT Assistants of the particular school who is working as Assistant Headmaster will be assigned to hold the additional charge of a Headmaster of the school if it falls vacant.



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8) It is to be noted that a senior most BT Assistant of a school would not be designated as a Headmaster of that school, if the post of a Headmaster falls vacant. The post of a Headmaster is a promotional post from the eligible BT Assistants involving more responsibilities than the normal duty that is performed by the BT Assistants. The further, contention that the special pay as allowed under the Government order in G.O.(Ms).No.303 dated 11.10.3017 had been paid to disentitle any additional pay as required under Fundamental Rule 49, according to the view of this Court is a fallacy.

9) It should be noted that Fundamental Rule 49 stipulates that a special pay would not include the expression of 'pay' or 'substantive pay'. A Headmaster not only receives a higher pay scale than that of a BT Assistants but is also entitled for certain special pay for the work that is being carried out in the post of a Headmaster. When admittedly the special pay had been made to the petitioners for holding the post of Headmaster, they are also entitled for additional pay for holding the post of full charge of Headmaster as being the senior most BT Assistant in that school. When a vacancy had arisen in the post it is the duty upon



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the employer to promote the eligible BT Assistants to the post of Headmaster and such post cannot be allowed to be held as additional charge.

10) For the aforesaid reasons, these Writ Petitions stands allowed and there shall be a direction to the third respondent to pay the additional pay for the period for which the petitioners had held the post of Headmaster as full additional charge as per Fundamental Rule 49 of the Tamil Nadu Fundamental Rules as amended on 05.12.2017. Such exercise shall be carried out by the third respondent within a period of twelve (12) weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are also closed.

16.12.2025

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



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To:

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Represented by its Secretary to Government,
School Education Department,
Secretariat, Chennai – 9.
2. The Director of School Education,
DPI Campus, Chennai – 6.
3. The Chief Educational Officer,
Karur.
4. The District Educational Officer,
Karur. ... Respondents in all W.Ps
5. The Head Master,
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K.KUMARESH BABU, J.

Gba

PRE-DELIVERY ORDER
IN
W.P.(MD) Nos.23007 to 23018
of 2024

16.12.2025