



WEB COPY



W.P.No.6490 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.6490 of 2010

A.Baby

...Petitioner

Vs.

1.The Secretary to Government
Backward Classes and Most Backward Classes Welfare Department
Fort St.George
Chennai 09.

2.The Secretary to Government
P & AR Department
Fort ST.George
Chennai 09.

...Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records in connection with the impugned order passed by the 1st respondent in letter No.2641/OP-1/2009-6, dated 03.02.2010 and further direct the 1st respondent to fix the salary on par with her junior and sanction the arrears of pay and allowances to the petitioner and grant the consequential monetary benefits with interest within a reasonable time.



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For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.M.Suresh Kumar
Additional Advocate General
Assisted by
Mr.K.H.Ravikumar
Government Advocate

ORDER

The petitioner challenges the communication dated 03.02.2010 issued by the first respondent, by which the request of the petitioner for stepping up of pay on par with her junior, R. Rajadurai, Section Officer, Finance Department, was rejected.

2. Heard Mr. S. Sivakumar, learned counsel for the petitioner, and Mr. M. Suresh Kumar, learned Additional Advocate General, assisted by Mr. K. H. Ravikumar, learned Government Advocate appearing for the respondents.

3. In the counter affidavit, the State Government has categorically stated that the request of the petitioner was examined in consultation with the Personnel and Administrative Reforms Department. It was pointed out that as per G.O.Ms.No.126, Personnel and Administrative Reforms (U.Spl) Department, dated 29.05.1998, and the subsequent clarification issued thereunder, eligibility



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for upgradation /stepping up of pay is available only when the employees are appointed in the same category of post (for instance, Typist to Typist or Assistant to Assistant). In the present case, it was noticed that the petitioner was promoted as Assistant on 06.06.1997, whereas Thiru R. Rajadurai was promoted as Assistant Section Officer from the post of Typist. Therefore, the petitioner cannot claim pay parity with a Typist who was promoted to the post of Assistant Section Officer.

4. The petitioner had also requested that her pay be stepped up on par with her junior M. Vanitha. This request was also examined in detail. It was found that the petitioner was initially appointed as Typist in 1984 and was converted as Assistant on 06.06.1997 after completing her graduation in 1995. On the other hand, M. Vanitha, Section Officer, Finance Department, was appointed as Typist with graduation in 1988, was converted as Assistant on 18.09.1992, and was subsequently promoted as Assistant Section Officer on 20.10.1995.

5. In light of the above facts, the claim of the petitioner for stepping up pay on par with R. Rajadurai and M. Vanitha cannot be sustained. However, the learned counsel for the petitioner has produced the seniority list of Typists, in which it is shown that the petitioner's junior Pushpalatha, at Sl. No. 166, has



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been granted the benefit of stepping up pay. The petitioner now claims stepping up of pay on par with the said Pushpalatha. It is seen that the petitioner has not submitted any representation to the respondents seeking such relief.

6. In view of the above, this Writ Petition stands disposed of, granting liberty to the petitioner to submit a fresh representation seeking stepping up of pay on par with Pushpalatha. If such a representation is submitted, the respondents shall consider the same on its own merits and in accordance with law, and pass appropriate orders within a period of three (3) months from the date of receipt of the representation. The petitioner shall submit the representation within a period of two (2) weeks from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petitions if any, are closed. There shall be no order as to costs.

24.02.2026

Index : Yes/No
Speaking order : Yes/No
dna



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HEMANT CHANDANGOUDAR.J.,

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