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W.P.No.6046 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2026

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.6046 of 2024
And
W.M.P.No.6689 of 2024**

K.Sindhu

... Petitioner

Vs.

1.The Personal Secretary to Government (Agriculture)
- cum – Chairman,
Perunthalaivar Kamaraj Krishi Vigyan Kendra (P.K.K.V.K.)
Chief Secretariat Complex,
Puducherry – 605 009.

2.The Principal – Cum – Coordinator,
Perunthalaivar Kamaraj Krishi Vigyan Kendra (P.K.K.V.K.)
Kurumbapet,
Puducherry – 605 009.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to impugned order passed by the second respondent, Vide Proceedings No.76/PKKVK/Estt/2020-2021 dated 03.03.2021 and quash the same and further direct the respondents to grant all monetary benefits to the petitioner by fixing the pay band and pay scale PB-3 Rs.15600 – 39100 + Grade Pay Rs.5400, from the date on



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which the petitioner was posted as technical officer.

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For Petitioner : Mr.B.Balavijayan
For Respondents : Mr.Syed Mustafa
Special Government Pleader (Puducherry)

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records pertaining to order passed by the second respondent, Vide Proceedings No.76/ PKKVK/Estt/2020-2021 dated 03.03.2021 and quash the same and further direct the respondents to grant all monetary benefits to the petitioner by fixing the pay band and pay scale PB-3 Rs.15600 – 39100 + Grade Pay Rs.5400, from the date on which the petitioner was posted as Technical Officer.

2.The learned counsel appearing for the petitioner submitted that the petitioner was appointed as a Lab Technician on consolidated pay on 01.07.1999 and at that time, she had the qualification of Ph.D Degree fully qualifying for the post of Technical Officer and hence the respondent conducted separate interview for the petitioner and assured that the petitioner will be posted as Technical Officer after



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approval from the Board and after five years, the petitioner's selection was approved by the resolution dated 10.12.2003 and the petitioner was posted as Technical Officer with the pay of Rs.5,500/-, which is of a lower scale than that of normally recommended and hence the petitioner made representation to the respondents requesting to restructure her pay scale from the initial date of her appointment, however, the same was rejected on the ground that the Rule which the petitioner relied is not in existence and there is no provision for enhancing pay for acquiring higher qualification.

3.The learned counsel appearing for the petitioner further submitted that as per the Technical Service Rules, 1975, as modified on 03.02.2000, the technical services are grouped into three categories, consisting of three categories with scales of pay as adopted by the ICAR on the basis of the recommendations made by IV and V Central Pay Commissions and the petitioner is entitled to pay scale Rs.15600 – 39100 + Grade Pay Rs.5400 and the same was not properly appreciated by the respondents.

4.The learned Special Government Pleader (Puducherry) appearing for the respondents submitted that the petitioner cannot



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rely upon the pay matrix or recruitment Rules of different entity and force the Management to increase the pay. It is a settled principle employees performing same nature of job in different entities can have different pay matrix. The respondents fixed the scale of pay for the post of Technical Officer, according to the workload and its capacity of the organisation to meet out the pay of the employees holding the post. Hence, the petitioner's claim could not be admitted in law. He further submitted that if a person is appointed to a post, he/ she will be paid the scale as applicable to the post irrespective of higher qualification possessed by him/ her.

5.Heard the arguments advanced on either side and perused the materials available on record.

6.Though the petitioner possessed the qualification of Ph.D Degree, she entered the service as Lab Technician during the year 1999. Thereafter, she was selected as Technical Officer and her pay was approved by resolution dated 10.12.2003. Thereafter the petitioner made representation to the respondents requesting to restructure her pay scale from the initial date of her appointment. It is basic criteria that if a person is appointed to a post, he/ she will be



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paid the scale as applicable to the post irrespective of higher qualification possessed by him/ her. When the petitioner accepts the post of Technical Officer with low pay scale even though she possess higher qualification, later she cannot claim restructure of her pay scale, unless Rule permits. In the present case, no Rule permits for upgradation of pay. In the absence of any Rule, the relief sought for in this writ petition cannot be granted.

7.The writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

05.02.2026

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

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- cum – Chairman,
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M.DHANDAPANI,J.
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