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W.P.No.10868 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2026

CORAM:

THE HONOURABLE MR. JUSTICE T.VINOD KUMAR

W.P.No.10868 of 2021

S.Pandi

... Petitioner

vs

1. Government of Tamil Nadu,
Rep. By its Secretary,
Home Department,
Fort St. George,
Chennai – 600 009.

2. The Commissioner of Police,
Greater Chennai,
No.132, Commissioner Office Buildings,
EVK Sampath Road,
Vepery, Chennai – 600 007.

3. The Joint Commissioner of Police,
West Zone,
Ambattur Industrial Estate,
Chennai – 600 058.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the third respondent by his proceedings *vide* RC.No.Pay Fixation/423/24319/2016 dated 09.07.2019 and quash the same and



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consequently direct the respondents to award revised Selection Grade Scale of Pay to the petitioner w.e.f. 01.01.2006 in the light of the G.O.Ms.No.234 Finance (PC) Department dated 01.06.2009 and pass orders.

For Petitioner : Mr.M.Ramadoss

For Respondents : Mrs.V.Yamunadevi
Special Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing on behalf of the respondents and perused the records.

2. The petitioner, by the present writ petition, has assailed the action of the respondents in not granting him the revised Selection Grade Pay pursuant to 6th Pay Commission and the recommendations of the One Man Commission dated 08.11.2010, despite the petitioner was promoted to Selection Grade in the year 2002 and to Special Grade in the year 2012.

3. It is the further case of the petitioner that seeking grant of the revised Selection Grade Pay, he had approached the third respondent and submitted a



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representation dated 04.11.2016 to fix his pay in Selection Grade category as Junior Assistant with Grade Pay as per G.O.Ms.No.45 Finance (RC) Department dated 10.02.2011 and Government letter dated 08.11.2010 with consequential direction to pay the arrears.

4. Petitioner contended that the aforesaid request made by the petitioner has been rejected by the third respondent under the impugned proceedings dated 09.07.2019 whereby the third respondent while claiming that the petitioner is not entitled for getting his pay revised in Special Grade, as he has moved to Special Grade Pay only on 22.05.2012 i.e., after introduction of New Pay Scale on 01.06.2009.

5. On behalf of the petitioner, it is further contended that the respondents while claiming that the petitioner is not eligible for revision pay of selection grade however, had stated that he is eligible only for sanction of two increments (3% + 3%) on the pay drawn by him on 22.05.2012.

6. The petitioner now contends that though he had assailed the action of the respondents authorities in rejecting his claim for revising the Grade Pay in Special



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Grade by the impugned proceedings on the above ground, he is not pursuing the said claim any further and is confining the relief sought for in the present writ petition seeking a direction to the respondents to grant two increments ie., (3% +3%) on the pay drawn by him on 22.05.2012, as stated by them in the impugned order.

7. On behalf of the petitioner, it is further contended that the aforesaid stand taken by the third respondent while rejecting the representation of the petitioner under the impugned order has also been reiterated in the counter affidavit filed by them into this Court, particularly, with reference to the statement made in Paragraph No.9 thereon.

8. Thus, the petitioner contends that he is only seeking a direction to, the respondents to sanction the two increments on the pay drawn by him on 22.05.2012 at the earliest.

9. The counter affidavit on behalf of the respondents is filed.



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10. The learned Special Government Pleader on behalf of the respondents while seeking to sustain the impugned order would submit that the petitioner is not entitled for being granted revised Scale of Pay in Special Grade as he was not holding the post of Special Grade when the scale of pay was introduced i.e., 01.06.2009 and was promoted to the Special Grade on 22.05.2012 only and as such, he is not entitled for the benefit.

11. The learned Special Government Pleader however does not dispute that the respondents in the impugned order having stated that the petitioner is eligible only for sanction of two increments (3% + 3%) on the pay drawn on 22.05.2012.

12. I have taken note of the respective contentions as urged.

13. Though the petitioner has assailed the action of the respondents in not granting the benefit of revised Selection Grade Pay on the basis of the recommendations made by the One Man Commission, there is no challenge to the non-implementation of recommendations of the One Man Commission under proceedings dated 08.10.2010 by the Government. The learned counsel appearing



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on behalf of the petitioner however, submitted that he does not intend to pursue the relief sought for in the writ petition and is confining his case is only seeking the relief of grant of two increments on the pay drawn by him on 22.05.2012 as stated by the respondents in the impugned order as well as in the counter filed in the matter.

14. Since, the petitioner having challenged to the impugned proceedings and the respondents while justifying their action in not granting the benefit of revised Selection Grade Pay by the impugned proceedings, having categorically stated that the petitioner is only eligible for being granted two increments ie., (3% + 3%) on the pay drawn by him on 22.05.2012, which submission is also reiterated by them in the counter filed into this Court, this Court is of the view that the respondent while rejecting the claim made by the petitioner in the present writ petition, out to have granted the benefit admitted by them.

15. In view of the above, the respondent authorities are to be directed to grant/sanction of the increments as mentioned by them in the impugned order to which the petitioner is eligible, at the earliest in any event not later than 3 months from the date of receipt of this order copy.



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16. Subject to the above direction, this Writ Petition is disposed of. No order as to costs.

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Speaking order / Non-speaking order
Index : Yes / No
Neutral Citation : Yes / No
dh

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