



WEB COPY

WP No. 10491 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-03-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 10491, 10492 & 10495 of 2024

- | | |
|------------------|--------------------------------------|
| 1. N.Rajendran | ..Petitioner in W.P.No.10491 of 2024 |
| 2. R.Venugopal | ..Petitioner in W.P.No.10492 of 2024 |
| 3. V.Gunasekaran | ..Petitioner in W.P.No.10495 of 2024 |

Vs

1. The Government of Tamilnadu
Rep. by Secretary to Government
School Education Department
Fort St.George, Chennai-600 009.
2. The Secretary
Government of Tamil Nadu
Finance Department
Fort St.George, Chennai-600 009.
3. The Director of School Education
College Road, Chennai – 600 009.
4. The Joint Director of School Education
(Vocational Education)
College Road, Chennai – 600 006.
.... Respondents 1 to 4 in all WPs
5. The Chief Educational Officer
Tiruvannamalai District, Tiruvannamalai.
... 5th Respondent in W.P.No.10491 of 2024
6. The Head Master
Government Boys Higher Secondary School Kannamangalam
Post, Arani Taluk, Thiruvannamalai District
... 6th Respondent in W.P.No.10491 of 2024



7. The Chief Educational Officer
Krishnagiri District, Krishnagiri.
... 5th Respondent in W.P.No.10492 & 10495 of 2024

8. The Head Master
Government Boys Higher Secondary School
Kannandahalli, Krishnagiri District
... 6th Respondent in W.P.No.10492 of 2024

9. The Head Master
Government Boys Higher Secondary School
Athipadi, Krishnagiri District
... 6th Respondent in W.P.No.10495 of 2024

10. The Accountant General (A And E)
Teynampet, Chennai – 600 018.
... 7th Respondent in all WPs

COMMON PRAYER : Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to apply Rule 4(1) (i) and Rule 4(1) (iii) of Tamil Nadu Revised Pay Scale Rules 2009 and to fix the pay of the petitioner at Rs. 22460 (Rs. 17,060 plus 5400 G.P) in prescribed selection grade scale pay of Rs. 15600-39100 plus 5400 G.P with notional effect from 1.01.2006 and monetary benefit from 1.04.2013 and continue the same till the petitioners retirement and then fix last pay drawn and send revised pension proposal to the Accountant General and grant arrears of pay and pension and pass orders.

For Petitioners: Mr.R.Saseetharan
(in all WPs)

For Respondent(s) : Mrs.S.Mythreye Chandru
(in all WPs) Special Government Pleader for R1 to R6

Mr.P.Mano Rajan
Standing Counsel for R7



COMMON ORDER

WEB COPY

The writ petitions has been filed for the following relief :

“ To issue a Writ of Mandamus directing the respondents to apply Rule 4(1) (i) and Rule 4(1) (iii) of Tamil Nadu Revised Pay Scale Rules 2009 and to fix the pay of the petitioner at Rs. 22460 (Rs. 17,060 plus 5400 G.P) in prescribed selection grade scale pay of Rs. 15600- 39100 plus 5400 G.P with notional effect from 1.01.2006 and monetary benefit from 1.04.2013 and continue the same till the petitioners retirement and then fix last pay drawn and send revised pension proposal to the Accountant General and grant arrears of pay and pension.”

2. The petitioner herein are appointed as Single Part Time Vocational Instructors for the subject 'Accountancy and Auditing' at Government Higher Secondary School, Singarapettai, and Boys Higher Secondary School, Uthangarai, on a consolidated pay with effect from 27.08.1984 and 16.07.1984 respectively, by proceedings of the Chief Educational Officer, Dharmapuri, dated 20.10.1984 and 17.08.1984. Thereafter, on 16.09.1985, he was appointed as Double Part Time Vocational Instructor in the same school and subsequently, they were absorbed as Vocational Instructor in the regular time scale of pay. The petitioners' service was regularised with effect from 01.04.1990, by the proceedings of the 4th respondent dated 10.07.2007. The petitioners were granted Selection Grade scale of pay for the post of Vocational Instructor,



during the 6th Pay Commission, i.e., from 01.01.1996.

WEB COPY

3. Thereafter, the Government of Tamil Nadu had issued G.O.Ms.No.234 dated 01.06.2009, introducing the revised scale of pay for the 7th time to its employees as per the recommendations constituted by the State Government. In the said Government Order, the Government of Tamil Nadu had introduced the pay band with Grade Pay. Based on the recommendations of the Official Committee on the revision of scale of pay and allowances, the Government had framed the 'Tamil Nadu Revised Scale of Pay Rules, 2009' which came into force notionally from 01.01.2006, and with monetary benefits from 01.01.2007. However, in the revised pay structure no separate scale of pay have been provided for Selection Grade / Special Grade Holders. Therefore, a clarification was sought by the Employees Association and Heads of Department as to the procedures / guidelines to be followed in case of fixation of pay of employees in Selection Grade / Special Grade Posts. The Government vide letter dated 08.11.2010 had issued certain guidelines for fixation of pay in the revised Selection Grade / Special Grade Posts.

4. The petitioners would submit that as per the Tamil Nadu Revised Pay Scale Rules 2009 and Government letter dated 08.11.2010, the Selection Grade Scale of pay is restricted to the ordinary Grade of Selection of Promotion Post,



and if there is no promotion, the Selection Grade Scale of Pay has to be fixed corresponding to the ordinary Grade Scale of Pay of post as per Schedule-I of the Government letter dated 08.11.2010. The petitioner would submit that in the Government letter dated 08.11.2010, the person with a pay band of Rs.9,300 -34,800 + GP 4400, is entitled to the Selection Grade Scale of Pay of Rs.15,600 - 39,100 + GP 5400. The said Government letter also stipulates that the above Selection Grade of Pay were granted to employees who were awarded Selection Grade as on 01.01.2006. According to the petitioners, they are the Selection Grade Vocational Instructors as on 01.01.2006 and therefore, they are entitled to Selection Grade Scale of Pay in the pay band of Rs.15,600 - 39,100 + GP 5400, in terms of the Government letter dated 08.11.2010.

5. The petitioners would submit that they had retired from service on 31.05.2018, 31.05.2016 and 31.03.2017 respectively. During their retirement, they were employed in the respondent-Schools. The Headmaster of the said Schools had revised the petitioners' pay and fixed their Selection Grade Scale of Pay in the pay band of Rs.15,600 - 39,100 + GP 5400 = Rs.21,000/- and submitted a revised pay fixation proposals to the Accountant General, the 7th respondent. The said proposal was accepted by the 7th respondent and the petitioners' pension and pensionary benefits were sanctioned on the revised pay fixation.



6. The petitioners would submit that the respondents have treated the Vocational Instructors on par with B.T.Assistants only with fixation of pay scale and not on promotional avenues. The question as to whether the post of Vocational Instructors has promotional avenues as on 01.01.2006, and whether the Vocational Instructors are entitled to Selection Grade Scale of Pay in the pay band of Rs.15,600 - 39,100 + GP 5400, was decided by Madurai Bench of this Court in W.P.(MD) No.2654 of 2018 dated 19.03.2018. Pursuant to this order, the Government had issued G.O.Ms.306 Finance (CMPC) Department, dated 12.09.2018, implementing the orders of this Court and held that the Selection Grade Scale of Pay for the post of Vocational Instructor is Rs.15,600 - 39,100 + GP 5400, notionally with effect from 01.01.2006 with monetary benefits from 01.04.2013, on the ground that the Vocational Instructors have no promotional avenues as on 01.01.2006.

7. The petitioners would submit that once the pay band was decided for the Selection Grade Vocational Instructors, the next question that arises for consideration is, at what stage it should be fixed. Accordingly, the fixation of pay at appropriate stage in the revised scale is governed by Rule 4(1)(i) and Rule 4(1)(iii) of the Tamil Nadu Revised Pay Scale Rules 2009. According to the petitioners, if the said Rule is applied to their cases, then they would have



been fixed at RS.22,460/- (Rs.17,060 + GP 5400) in the Selection Grade Scale of Pay of Rs.15,600 - 39,100 + GP 5400 as on 01.01.2006. However, the 6th respondent-Schools had fixed the petitioner's Selection Grade at the minimum of Rs.21,000/- (15,600 + GP 5,400) without applying Rule 4(1)(iii) of the Tamil Nadu Revised Pay Scale Rules 2009.

8. Therefore, the petitioners had submitted individual representations on 29.09.2023 and 04.10.2023 respectively to fix the pay at appropriate stage by applying Rule 4(1)(i) and Rule 4(1)(iii). Since the representations were not considered to date, the petitioners are before this Court.

9. When the matter was called, it was informed by Ms.Mythreye Chandru, learned Special Government Pleader appearing for respondents 1 to 6 that the relief claimed by the petitioners had already been brought before the learned Single Judge in W.P.(MD) Nos.12677 to 12700 of 2024, and this Court had allowed the writ petitions. The learned Single Judge in his order had directed that the pay scales of the Government employees to be revised with effect from 01.01.2006, following the implementation of the recommendations of the 6th Pay Commission notionally from 01.01.2006 and with monetary benefit with effect from 01.01.2007. However, the said order was challenged by the State in a batch of writ appeal in W.A.(MD) No.468 of 2025 and etc., batch,



wherein the Division Bench in its order dated 29.08.2025, has held as follows :

“16. For those in higher administrative grade or in pay band 4, the benefits of increment due to bunching shall be given taking into account all the stages in different pay scales in that grade. Admittedly, the Vocational Instructors do not fall in higher administrative grade and they are not in pay band 4. Therefore, they cannot invoke the said Rule.

17. Looking at from any angle, the order of the learned Single Judge cannot be sustained. It is set aside. These writ appeals are allowed.” ½

10. In fact, the Co-ordinate Bench of this Court in a batch of writ petitions in W.P.Nos.9201 of 2025 by its order dated 17.11.2025 has observed that Rule 4(1) of the Tamil Nadu Revised Pay Scale Rules 2009, cannot be considered since the Rule does not apply to vocational instructors.

11. Therefore, taking into account the orders passed by the Division Bench in W.A.(MD) No.468 of 2025 and etc., dated 29.08.2025, and the order of the learned Single Judge in W.P.Nos.9201 of 2025 etc., batch dated 17.11.2025, these writ petitions are dismissed. No costs.

12-03-2026

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



WEB COPY

WP No. 10491 of 2



P.T.ASHA J.

DS

WP No. 10491, 10492 & 10495 of 2024

12-03-2026