IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-06-2026

CORAM

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

WP No. 17951 of 2026

D. Jayaraman
S/o V. Damodaran,
No 17/0-15B Vengateshwara nagar,
New Kanchipuram road,
Cheyyar,
Tiruvannamalai District

..Petitioner

Vs

1. The Secretary To Government
   Finance Department,
   Fort St. George, Chennai

2. The District Collector
   Office of the Collectorate,
   Thiruvannamalai District

3. The District Revenue officer
   Office of the Collectorate,
   Thiruvannamalai District

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents to re-fix the petitioners salary and allowances by granting the fitment as per G.O.Ms. No 340 Finance (Pay Cell) Department dated 26.08.2010 from the date of the petitioners initial appointment.

For Petitioner:	Ms.D.Kamachi for M/s.Polax Legal Solutions
For Respondents:	Mr.A.R.Balaji Government Advocate

ORDER

The present Writ Petition has been filed seeking the issuance of a Writ of Mandamus directing the respondents to re-fix the petitioner's salary and allowances by granting the fitment benefits as per G.O.Ms.No.340 Finance (Pay Cell) Department, dated 26.08.2010 from the date of the petitioner's initial appointment.

2. It is the case of the petitioner that the Tamil Nadu Public Service Commission (TNPSC) had called for appointments to the posts of Typist and Steno Typist vide Notification No.135 of 2007. The petitioner had participated in the selection process and was selected. However due to administrative reason, the appointment order was issued to the petitioner only on 16.07.2009 and he had joined duty on 20.07.2009. In the meanwhile, the Government had issued G.O.Ms. No.340 dated 26.08.2010 to give effect to the recommendation of the One Man Commission with effect from 01.01.2026 in order to rectify the anomaly in pay fixation for those who were appointed prior to 01.06.2009 but joined on a subsequent date on or after 01.06.2009 due to administrative reasons. The petitioner falls squarely within this category. That apart, the petitioner would submit that the Division Bench, by order dated 22.09.2025 in Review Aplc(Md).No.62 of 2025, held that persons who were recruited through the 2007 notification and appointed after 01.06.2009 are entitled to the benefit

of G.O.Ms.340. The petitioner seeks the very same relief.

3. Heard the learned counsel on both sides and perused the materials available on record.

4. Admittedly, the petitioner has been recruited pursuant to Notification No.135 of 2007 and after the process of selection, the selection list has been published on 08.11.2008. However, for administrative reasons, the appointment order was issued to the petitioner only on 16.07.2009 and he had joined duty on 20.07.2009. Since the issue revolves around G.O.Ms. No.340, Finance (Pay Cell) Department, dated 26.08.2010, the relevant paragraphs are extracted hereunder.

> *"5)Based on the above general orders, the Heads of Departments / Pay fixing authorities concerned are requested to re-fix the pay of the individual employees concerned by issuing separate Office Proceedings in this regard immediately.*
>
> *6) The above orders allowing fitment benefit is not applicable to the new recruits in whose cases the selection list have been issued by the Tamil Nadu Public Service Commission / Employment Exchanges and consequent appointment orders issued by the Heads of Departments after 1-6-2009 i.e. after the date of issue of notification of the Tamil Nadu Revised Scales of Pay Rules, 2009 in the G.O.first-read above. In such cases, the new recruits are entitled to have their pay fixed only at the minimum of the Pay Band plus Grade Pay applicable to the respective posts."*

Following this Government Order, this Court in W.P.(Md) Nos.13375 to 13779 of 2022 was pleased to direct the respondents to extend the benefit of G.O.Ms. No.340 to the petitioners therein. This order was challenged in W.A(MD)No.520 of 2023 etc. batch by order dated 01.12.2023 the writ appeals were dismissed and the Bench had observed as follows:

> *"8. The learned Single Judge has considered the said aspect in proper perspective. As per the said Government Order, the monetary benefits were given from 01.08.2010 and not from 01.06.2009. It was only the fitment that was permitted. The same would also apply to the respondents herein. The respondents will not get monetary benefits prior to 01.08.2010. It is only the notional fitment that will be applicable."*

This order was sought to be reviewed in Rev. Aplc(Md).No.103 of 2024 and 62 to 65 of 2025, which were also dismissed. In the order dated 22.09.2025, the Bench had observed as follows in paragraph No.20.

> *"20. In the light of the above discussion, it is pertinent to note that plain reading of the G.O.(Ms).No.340, Finance (Pay cell) Department dated 26.08.2010, in conjunction with recommendation of One Man Commission and subsequent relaxation issued by Government, makes it clear that benefit of fitment is applicable to those recruited prior to 01.06.2009, though appointed after the cut off date due to administrative reasons. The respondents herein fall within the said category. Therefore, the order passed by writ court as confirmed by writ appeals, are correct and does not warrant interference in Review. Accordingly, the Review Applications are dismissed. Consequently, connected miscellaneous petition is closed. No costs."*

The above order would squarely apply to the facts of the present case.

5. Therefore, the writ petition is allowed and a Mandamus is issued directing the respondents to extend the benefit of G.O.Ms. No.340, Finance (Pay Cell) Department, dated 26.08.2010, with reference to the fitment benefits by giving effect to paragraph Nos.5 and 6 therein to the petitioner within a period of two months from the date of receipt of a copy of this order. No costs.

03-06-2026

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

Asi

To:

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P.T.ASHA J.

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