



WEB COPY



W.P. No.15607 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2026

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.15607 of 2024

P.S.Thangam

Petitioner

Vs

1. The Deputy Secretary to Government
Finance (Pension) Department, Secretariat,
Fort St. George, Chennai 600 009.

2.The Accountant General (A& E)
361 Anna Salai, Teynampet
Chennai 600 018.

3.The Senior Deputy Accountant General
(Pension) ,
O/o. The Principal Accountant General
(Account & Entitlements) ,
361 Anna Salai, Teynampet Chennai 18.

4.The Block Educational Officer
Block Educational Office, Tirunelveli Urban

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the 2nd respondent to revise and re-fix the petitioner's last drawn pay at Rs.6350/- in the post of Selection Grade Teacher in the pay scale of Rs.5300- 150- 8300/- w.e.f 01.10.2003 and revise and re-fix the petitioner's pension and other retiral benefits, accordingly, with all consequential benefits including arrears of pay and allowances and arrears of pension

For Petitioner : Ms.Y. Kavitha

For Respondents: Mr. P. Balathandayutham

Spl. Govt. Pleader for R1 & R4

Ms.J. Srividhya for R2 & R3



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ORDER

The relief sought in this writ petition is a direction to the 2nd respondent to revise and re-fix the petitioners last drawn pay at Rs.6350/- in the post of Selection Grade Teacher in the pay scale of Rs.5300- 150- 8300/- w.e.f 01.10.2003 and revise and re-fix the petitioner's pension and other retiral benefits, accordingly, with all consequential benefits including arrears of pay and allowances and arrears of pension.

2. The case of the petitioner that she joined as as Higher Grade Teacher on 06.02.1967 and was subsequently promoted as Secondary Grade Teacher on 01.09.1988 in the then existing pay scale. Pursuant to various Government Orders revising the scales of pay, including G.O.Ms.No.162, Finance (Pay Cell Department) dated 13.04.1998 and G.O.Ms.No.427 dated 28.08.1998, the petitioner's pay scale was revised. She was granted Selection Grade with effect from 01.10.1998 and placed in the higher scale of Rs.5300-150-8300/-. It is the contention of the petitioner that after several representations, wherein she stated about the pay loss of Rs.50/-, the 4th respondent vide Communication dated 17.08.2022 recommended her case to the 2nd respondent, whereas the 2nd respondent rejected the same. It is the grievance of the petitioner that the 2nd respondents without properly considering her claim has rejected, which led to a



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pay loss of Rs.50/- and the same was not rectified, till date. Hence, this writ petition.

3. Learned counsel for the petitioner drew the attention of this Court to pay fixed by the respondents to the petitioner and argued that the petitioner was granted selection grade to a higher pay scale with a higher increment. Hence, she contended that the respondents may be directed to consider the claim of the petitioner in proper perspective and suitable directions may be issued by this Court.

4. Per contra, the learned Special Government Pleader appearing for respondents 1 and 4, by placing reliance upon the detailed counter affidavit, particularly paragraph 6, submitted that the pay fixation was done strictly in accordance with the applicable Government Orders and rules governing revision of pay and grant of Selection Grade. It is stated that the excess or difference component was liable to be absorbed in future increments and that, upon grant of the higher scale of pay, the earlier personal pay could not be carried forward as claimed by the petitioner. The last drawn pay was correctly fixed and 50% thereof was taken into account for pension fixation. He further submitted that the petitioner retired long back and the present writ petition, filed after a considerable lapse of time, is based merely on a recommendation which has no



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statutory force. In the light of the above, this Court may dismiss the writ petition.

5. Heard the learned counsel appearing on either side and perused the materials placed on record.

6. After considering the rival submissions and on perusal of records, it reveals that the pay fixation was carried out pursuant to the relevant Government Orders and in accordance with the prescribed scales of pay. The claim of the petitioner rests primarily on the contention with regard to personal pay and absorption. However, the counter affidavit clearly explains the manner in which the personal pay and increments were dealt with upon revision of scales and grant of Selection Grade. The recommendation of one of the authorities, in the absence of statutory backing and contrary to the applicable rules, cannot confer a legal right upon the petitioner. Therefore, this Court is of the considered view that the claim of the petitioner cannot be entertained. Accordingly, the writ petition stands dismissed. No costs.

11.02.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
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M.DHANDAPANI, J.

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