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W.P. No.23732 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 02-04-2026**

CORAM

**THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ**

**W.P. No.23732 of 2022**

**and**

**W.M.P. Nos.22684 and 22685 of 2022**

C.S.Venkata Kumar  
S/o.C.Sriramulu,  
Block Educational Officer,  
O/o.Block Educational Officer,  
Shoolagiri, Hosur Educational District,  
Krishnagiri District- 635 115.

..Petitioner(s)

Vs

1. The Chief Educational Officer,  
Krishnagiri.
2. The District Educational Officer,  
Krishnagiri.

..Respondent(s)

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Certiorarified Mandamus calling for the records of the 1st Respondent in Na.Ka.No.4257/A3/2022 dated 01.07.2022 and quash the same and direct the respondents to continue the petitioner as per the fixation of Salary done in the year 2012 along with the incentive increment for having acquired in the post of Middle School Headmaster from the year 2006

For Petitioner(s): Ms.Dakshayani Reddy

For Respondent(s): Mr.A.M.Ayyathurai  
Government Advocate



### **ORDER**

The present writ petition has been filed praying for a writ of Certiorari Mandamus calling for the records of the 1<sup>st</sup> respondent dated 01.07.2022, quash the same and direct the respondents to continue the petitioner as per the fixation of Salary in the year 2012 along with incentive increment in the post of Middle School Headmaster from the year 2006.

2. It is submitted by both the learned counsel for petitioner as well as the respondents that the issue raised relating to re-fixation of selection grade scale of pay and the consequential orders of recovery stands covered by a judgment of this Court in W.P.No.12275 of 2024 dated 02.03.2026. The relevant portions of the order reads as under:

*“85. In the result, all the writ petitions are disposed of with the following directions:~*

*i) The impugned order directing the fixation of the selection grade/special grade scale of pay at the first promotional level and 2nd promotional level is set aside to the extent that there shall be no recovery of amount, which has already been paid, from the petitioners ;*

*ii) Insofar as the petitioners, who have retired from service is concerned, no amount shall be recovered on the basis of the impugned order from the retiral benefits/pensionary benefits of the petitioners with regard to the amount already paid;*

*iii) Insofar as the petitioners, who are still in service, no amount shall be recovered on the basis of the impugned order from*



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*the salary of the petitioners with regard to the amount already paid;*

*iv) In case any amount has already been recovered from any of the petitioners towards excess payment made in the selection grade scale, the same shall not be refunded to the petitioners and the respondents shall refix the selection grade scale of pay of the said petitioners after amendment to FR 22~B and, thereafter, upon computation, if any amount is due and payable to any of petitioners, the same shall be paid by the respondents forthwith;*

*v) Until FR 22~B is amended so as to include the directions given in G.O. Ms. No.63305/Pay Cell/2010~1 dated 8.11.2010, more particularly para 4 (i) of the said Government Order, no action shall be taken by the respondents to refix the scale of pay of the petitioners and similarly placed persons;*

*vi) Subject to amendment, if any, that may be made to FR 22~B, with reference to G.O. Ms. No.63305/Pay Cell/2020~1 dated 8.11.2020, the respondents are at liberty to revise the salary of the persons who are in service by refixing their scales of pay in the selection grade as also the pensionary benefits of the pensioners by refixing their scales of pay in selection grade in line with the amendments that may be made to FR 22~B for computing the admissible pension payable based on para 4 (i) of G.O. Ms. No.63305/Pay Cell/2010~1 dated 8.11.2010, which shall be applicable only prospectively and not retrospectively;*

*vii) Pursuant to the amendment, if any, made to FR 22~B, upon refixation of the scales of pay of the petitioners, and computing the revised pay that the petitioners who are in service would be entitled to and the revised monthly pension that the*



*retired petitioners would be entitled to, it is made clear that the petitioners would also be entitled for selection grade benefit in the post of HM~MS upon completion of 10 years of service in the said post;*

*viii) The grant of selection grade scale of pay in the post of HM~MS shall be fixed after amendment to FR 22~B and after refixing the selection grade scale of pay of the petitioners in the erstwhile post of HM~PS and monetary benefit, if any payable, shall be computed and paid to petitioners from the date when they become eligible for such selection grade scale of pay, including arrears of pay.*

*ix) The Accountant General is directed to compute the pension in the scale of pay which the petitioners were drawing on the date of their retirement, if not computed in the said scale, and pay the arrears of pension on the said higher scale to the retired petitioners, if not already paid;*

*x) Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.”*

3. In view thereof, the writ petition stands disposed of on the above terms.

No costs. Consequently, the connected miscellaneous petitions are closed.

**02-04-2026**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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W.P. No.23732 of 2



To:

1.The Chief Educational Officer  
Krishnagiri.

2.The District Educational Officer  
Krishnagiri.



WEB COPY

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**MOHAMMED SHAFFIQ J.**

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