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W.P.No.30701 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.30701 of 2019

M.Balasubramanian

...Petitioner

Vs.

Union of India

Rep.by its Director

National Institute of Technical Teachers Training and Research

Taramani

Chennai 600 113.

...Respondent

Prayer: This Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, after calling for the concerned records from the Respondent, quash the order of the Respondent dated 30.03.2016 bearing Ref.No.Estt/MACP/2015-16 as illegal, arbitrary and contrary to law and consequently direct the Respondent to restore the Grade Pay of the Petitioner as Rs.4800/- with effect from 01.01.2006 in the pay scale of Rs.9300-34800 in which the last drawn basic pay was Rs.22600/- and revise the Grade Pay as Rs.5400/- with effect from April, 2015 and direct the Respondent to refund the recovery made from the terminal benefits of the Petitioner make good of the monetary value of the reduced terminal benefits and fix the pension and other terminal benefits on the basis of the revised Grade Pay.



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For Petitioner : Mr.Balan Haridas

For Respondent : Mr.Su.Srinivasan
Standing Counsel

ORDER

The petitioner challenges the proceedings dated 30.03.2016 bearing Ref. No.Estt/MACP/2015-16 issued by the respondent. By the said proceedings, the Grade Pay of Rs.4,800/- granted to the petitioner was reduced to Rs.4,600/-, and the Grade Pay of Rs.4,800/- was made applicable only with effect from 11.04.2015.

2. The petitioner, while serving as a Graphic Artist, was granted Grade Pay of Rs.4,800/- with effect from 01.01.2006 in terms of the Memorandum issued by the Ministry of Finance, which included the benefits under the Modified Assured Career Progression (MACP) Scheme as on 01.01.2006.

3. In the impugned proceedings, the Grade Pay was reduced from Rs.4,800/- to Rs.4,600/-, and the Grade Pay of Rs.4,800/- was extended only with effect from 11.04.2015. Consequently, this resulted in recovery of the alleged excess amount from the petitioner.



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4. Mr.Balan Haridas, learned counsel for the petitioner, submitted that the impugned proceedings reducing the Grade Pay were issued without affording an opportunity of hearing to the petitioner. He further submitted that no reasons were assigned for the reduction of Grade Pay and, therefore, the impugned order is arbitrary, discriminatory, and violative of the principles of natural justice.

5. Per contra, Mr.Su.Srinivasan, learned Standing Counsel for the respondent, submitted that the Grade Pay of the petitioner had been erroneously fixed at Rs.4,800/- with effect from 01.01.2006 and, upon noticing the said error, the same was rectified. Therefore, according to him, the impugned proceedings do not warrant interference.

6. The submissions made by the learned counsel on either side and the materials placed on record have been duly considered.

7. By proceedings dated 11.06.2015, the Grade Pay of the petitioner, while serving as Graphic Artist, was fixed at Rs.4,800/-. However, by the



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impugned proceedings, the same was reduced to Rs.4,600/-, and the Grade Pay of Rs.4,800/- was granted only with effect from 11.04.2015. The respondent has not assigned any reasons for reducing the Grade Pay from Rs.4,800/- to Rs.4,600/- for the period from 01.01.2006 to 10.04.2015, nor for granting the Grade Pay of Rs.4,800/- only from 11.04.2015.

8. The MACP Scheme provides for financial upgradation on completion of every ten years of service. The petitioner had completed more than 30 years of service. Therefore, he would be entitled to the Grade Pay of Rs.4,800/- with effect from 01.01.2006 and to the Grade Pay of Rs.5,400/- with effect from 11.04.2015.

9. In view of the above, the impugned proceedings issued by the respondent are violative of the principles of natural justice and are arbitrary and unsustainable in law. Accordingly, the impugned proceedings dated 30.03.2016 bearing Ref.No.Estt/MACP/2015-16 are hereby quashed.

10. The respondent is directed to extend the Grade Pay of Rs.5,400/- with effect from 11.04.2015 till the petitioner attained the age of superannuation on 31.03.2016, and to revise the pension and other pensionary benefits



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accordingly and disburse the same within a period of three months from the date

of receipt of a copy of this order. However, the petitioner shall not be entitled to arrears of salary on account of the upgradation of pay from 11.04.2015 till the date of superannuation. There shall be no order as to costs.

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Index : Yes/No
Speaking order : Yes/No
dna

To

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Rep.by its Director
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HEMANT CHANDANGOUDAR.J.,

dna

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