



Writ Petition No.19174 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON
29.01.2026

PRONOUNCED ON
17.02.2026

CORAM
THE HONOURABLE MR. JUSTICE C.V. KARTHIKEYAN
AND
THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

Writ Petition No.19174 of 2025
and W.M.P.No.21446 of 2025

1.M.Djeavelou
2.D.Palani ... Petitioners

Vs

1.The Union of India,
Represented by the Government of Puducherry,
through the Secretary to
Government of Education,
Chief Secretariat, Puducherry.

2.The Director,
School Education,
Education Department,
Puducherry.

3.V.Ravy
4.D.shanthi (Deceased) ... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for records relating to order dated 30.04.2024 passed by the Hon'ble Central



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Administrative Tribunal in O.A.No.1127 of 2013 and to quash the same and to allow the said O.A.No.1127 of 2013 as prayed for and pass further orders.

For Petitioners : Ms.Kavitha Y

for M/s.P.V.S.Giridhar Associates

For RR1 & 2 : Mr.R.Syed Mustafa

Special Government Pleader (Pondy)

For R3 : Served – No appearance

ORDER

(Order of the Court was made by Mr.K.KUMARESH BABU.,J.)

This writ petition has been filed by petitioners challenging the order of the Tribunal dated 30.04.2024 and to allow the same.

2. Heard Ms.Kavitha Y, learned counsel appearing on behalf of M/s.P.V.S.Giridhar Associates for the petitioners and Mr.R.Syed Mustafa, learned Special Government Pleader (Pondy) appearing on behalf of the first and second respondents.

3. Ms.Kavitha Y, learned counsel for the petitioners would submit that the petitioners were appointed as part time Instructors (Librarian) in the Bal Bhavan on part-time wages. She would submit that pursuant to various



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representations 61 posts were created which included 6 Instructors (Library Science). By order dated 22.06.2009 they were absorbed as part-time staff to Bal Bhavan Instructors (Library Science) with the pay band of Rs.5,200-20,200 with grade pay of Rs.1,900 against the newly created post. She would submit that as per the recruitment Rules, post of librarian carries a pay scale of Rs.5,500-9000 which was fitted in the revised pay band as per the VIth Pay Commission which is Rs.9,300-3,4800 with grade pay of Rs.4,600.

4. She would submit that by a Government order in G.O.(Ms).No.76, dated 02.12.1998 part-time employees in Bal Bhavan were regularised in the pay scale of Rs.4,500-7,000 which was subsequently replaced as Rs.5,500-9000. She would submit that Librarians who were working as part-time were also brought under the pay scale of Rs.5,500-9000 with effect from 01.04.2002, on their regularisation in the year 1999. By further orders the regularisation of part-time Instructors have been undertaken and they were all placed under the same pay scale. However, the petitioners were placed in a lower pay scale which is wholly unjustified.

5. She would submit that the current pay band of a school Librarian is



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Rs.9,300-36,800 with grade pay of Rs.4,600, whereas the petitioners have been granted only a pay scale of Rs.5,200-20,200 with grade pay of Rs.1,900 which is an entry level grade pay. Hence, seeking such relief, the petitioners along with third and fourth respondents had approached the Tribunal and under the impugned order, the Tribunal had rejected their claim by holding that the petitioners were purely absorbed on humanitarian grounds as per the recruitment Rules notified in the year 2008 and therefore, the pay scale is in accordance with the said recruitment Rules, and had further held that the petitioners cannot equate themselves with the part-time employees who were regularised earlier as they have not been borne in service at that relevant point of time.

6. She would submit that the petitioners are employed as Librarians and similarly placed Librarians who are regularised earlier have been benefitted with a higher pay scale and therefore there cannot be any disparity in the pay scale for the similar type of work done by them. She would further submit that the petitioners are also holding the same qualifications as other Librarians and therefore, they cannot be discriminated. Hence, she seeks indulgence of this court in granting the



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relief as prayed for by the petitioners.

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7. Countering her arguments, Mr.R.Syed Mustafa, learned Special Government Pleader (Pondy) appearing on behalf of the first and second respondents would submit that the petitioners were all appointed as part-time Instructors in the year 2000 only. The petitioners cannot equate themselves with the predecessors who were regularised in service by taking into their length of service. He would submit that on the representations made by various part-time workers working in the Bal Bhavan, 61 posts were created in the pay scale of Rs.3,050-4,590 as temporary non-gazetted post in pay band of Rs.5,200-20,200 in grade pay of Rs.1,900, by orders of appointment dated 22.06.2009. Thereafter, they had made representations seeking of parity of pay with that of the teachers working in the Government schools.

8. He would submit that the predecessors were all regularised in the vacancies that were available in the Government schools only, but on the other hand, the petitioners were appointed in the newly created posts at Bal Bhavan. Therefore, they cannot claim themselves to be considered on par



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with the teachers in the Government schools. Therefore, their representations were also rejected by the Pay Anomaly Committee in its Meeting as early as on 25.02.2012. He would submit that the Tribunal had rightly considered the issues and having found that the petitioners stand on a different platform than that of the part-time teachers who were regularised earlier and also having found that the petitioners were only regularised in a temporary non-gazetted posts based upon the Government orders of the year 2006, had rightly rejected the claim of the petitioners. Hence, he would submit that there is no necessity for this Court to interfere with the orders impugned in this Writ Petition.

9. We have considered the submissions made by the learned counsels appearing on either side and perused the materials available on record.

10. The *lis* that is to be resolved in this Writ Petition is as to whether the petitioners would be entitled to salary on par with the part-time Instructors who were regularised earlier. It is to be noted that in each of the Government orders relied upon by the petitioners in respect of their predecessors, they have all been regularised with the vacancies in the



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Education Department and they were paid salary as applicable to the teachers in the Education Department. By a Government order in G.O. (Ms).No.78 Chief Secretariat (Education) dated 07.07.2006, 61 posts in Group-C as temporary non-gazetted post for Junior Bal Bhavan and other 7 Mini Bal Bhavan in the Pondicherry region, originally was created in the pay scale of Rs.3,050-4,590 for that newly created posts. The petitioners were appointed indicating that they would be entitled to a pay band of Rs5,200-20,200 with grade pay of Rs.1,900 which was on par with a earlier pay scale of Rs.3,050-4,590. The petitioners were not regularised in the regular vacancy in the Education Department but were only regularised in the newly created post in Junior Bal Bhavan and Mini Bal Bhavan. Therefore, they cannot seek parity of pay with those part-time Instructors in Bal Bhavan who were regularised in the Government schools under the Education Department

11. It is also not disputed that the Pay Anomaly Committee had rejected the request for rectification of pay anomaly structure of Bal Bhavan Instructors on par with the teachers working in the Education Department even as early as in the year 2012. However, such decision was never put to



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challenge by the petitioners.

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12. Be that as it may, even on the facts we have found that the petitioners would not be entitled for the relief that they have sought for in the Writ Petition. The Tribunal had also rightly held that the petitioners are not entitled for the relief.

13. For the aforesaid reasons, we do not find any merits in the Writ Petition. Accordingly, the Writ Petition stands dismissed. Consequently, connected miscellaneous petition is also closed. However, there shall be no order as to costs.

(C.V.K.,J.)

(K.B., J.)

17.02.2026

Index: Yes/No

Speaking Order/Non Speaking Order

Neutral Citation:Yes/No

Gba

To

1.The Government of Puducherry,
for The Union of India,

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through the Secretary to
Government of Education,
Chief Secretariat, Puducherry.

2.The Director,
School Education,
Education Department,
Puducherry.



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C.V. KARTHIKEYAN., J.
and
K.KUMARESH BABU.,J.

Gba

A Pre-delivery judgment made in
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