



WEB COPY

WP No. 35990 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-01-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

WP No. 35990 of 2024

and

WMP No. 38879 of 2024

1. Union of India
Rep. by Post Master General,
Southern Region,
Madurai - 625 002.
2. The Senior Superintendent of Post Offices
Kovilpatti Division,
Kovilpatti - 628 501.

..Petitioner(s)

Vs.

A.M.Jeyarajasekar
Postal Assistant (Retd),
Sankarankovil HPO - 627 756,
Residing at No.6/30,
Railway Feeder Road,
Sankarankovil- 627 756.

..Respondent(s)



This Writ Petition filed under Article 226 of the Constitution of India, in the nature of Writ of Certiorari, calling for the record relating to the order passed by the Central Administrative Tribunal Chennai in O.A. No. 565 of 2018 dated 10.07.2023 and to quash the same.

For Petitioner(s): Mr.V.Chandrasekaran, Senior Panel Counsel.
For Respondent(s): Mr.P.R.Satyanarayanan

ORDER

(Order of the Court was made by C.V.Karthikeyan J.)

The respondents in O.A.No.565 of 2018 on the file of the Central Administrative Tribunal, Chennai, aggrieved by the order dated 10.07.2023 disposing the original application, and directing the respondents to extend the admissible 3rd MACP benefit to the applicant w.e.f 28.02.2015 along with the arrears of pay and allowances and other consequential benefits in accordance with the MACP Scheme, have filed the present writ petition.

2.The respondent herein, A.M.Jeyarajasekar, had filed original application before the Tribunal seeking grant of 3rd MACP benefit w.e.f 28.02.2025 along with arrear of pay and allowances, pensionary and all other consequential benefits. He had been appointed as Postman on 14.12.1990 in Pay Band -I (PB-I) in the Grade Pay of Rs.2,000/- through Limited Departmental



Competitive Examination (LDCE). He was earlier working as Gramin Dak Sevak (GDS). He was promoted as Postal Assistant through Limited Departmental Competitive Examination on 28.02.1995 in Pay Band – I in the Grade Pay of Rs.2,400/-. However, there was no promotion avenue for the next ten years and therefore, he became eligible and entitled for Modified Assured Career Progression Scheme II (MACPS II) on and from 14.12.2010 (20th year of service) or on 01.09.2008 (the date on which MACPS came into effect) whichever is earlier. He was granted the benefits under MACPS II in the form of financial upgradation on 01.09.2008 in the Grade Pay of Rs.2,800/-. He was eligible and entitled for MACPS III financial upgradation either on 14.12.2020 (30 years from the date of entering into service) or on 01.09.2018 (10 years from the grant of 2nd MACP) whichever is earlier. He had however retired from service on 31.08.2017 and therefore, MACPS III was not granted to him and his request for the same was rejected by order dated 01.12.2016. This order was challenged before the Central Administrative Tribunal.

3. In the order dated 10.07.2023, the Tribunal, on considering the facts and the nature of the Modified Assured Career Progression Scheme had held that the applicant before the Tribunal / respondent herein was entitled to 3rd MACP w.e.f from 28.02.2015 which was 10 years from 28.02.2005 when he had completed 10 years of service without any promotion and had also not been granted any promotion on and from 28.02.2005.



4. In this connection, it would only be appropriate that the scheme is examined to determine, whether the order of the Tribunal is to be sustained or overruled. The Modified Assured Career Progression Scheme (MACPS) had been introduced for the Central Government Civilian Employees on the recommendations of the Sixth Central Pay Commission and by Office Memorandum dated 18.09.2009, the Ministry of Communications and IT, Department of Posts, had extended the said scheme to be operational w.e.f 01.09.2008 to the employees of the Department of Posts. This should be granted at intervals of 10, 20 and 30 years of continuous regular service and shall be applicable to all regularly appointed Group “A”, “B” and “C” Central Government Civilian Employees.

5. It had been further provided that on grant of financial upgradation there shall be no change in designation, classification or higher status. However, financial and certain other benefits which are linked to the pay drawn by an employee such as HBA, Allotment of Government Accommodation shall be permitted. The scheme was admissible whenever an employee has spent 10 years continuously in the same grade pay. It envisages placement in the immediate next higher grade pay in the hierarchy of the recommended revised pay bands and grade pay. An illustration had also been given in the Memorandum and it would be only appropriate that the same is reduced in entirety for better appreciation of the scheme and extension of the benefits of



the scheme.

WEB COPY

“28. Illustrations

A. (i) If a Government servant (LDC) in PB-1 in the Grade Pay of Rs. 1900 gets his first regular promotion (UDC) in the PB-1 in the Grade Pay of Rs. 2400 on completion of 8 years of service and then continues in the same Grade Pay for further 10 years without any promotion then he would be eligible for 2nd financial upgradation under the MACPS in the PB-1 in the Grade Pay of Rs. 2800 after completion of 18 years (8+10 years).

(ii) In case he does not get any promotion thereafter, then he would get 3rd financial upgradation in the PB-2 in Grade Pay of Rs. 4200 on completion of further 10 years of service i.e. after 28 years (8+10+10).

(i) However, if he gets 2nd promotion after 5 years of further service in the pay PB-2 in the Grade Pay of Rs. 4200 (Asstt. Grade/Grade "C") i.e. on completion of 23 years (8+10+5 years) then he would get 3rd financial upgradation after completion of 30 years i.e. 10 years after the 2nd ACP in the PB-2 in the Grade Pay of Rs. 4600.

In the above scenario, the pay shall be raised by 3% of the total pay in the Pay Band and Grade Pay drawn before such upgradation. There shall, however, be no further fixation of pay at the time of regular promotion if it is in the same Grade Pay or



in the higher Grade Pay. Only the difference of grade pay would be admissible at the time of promotions.”

WEB COPY

6.A careful perusal of the above shows that, if the Government servant in Pay Band – I in the Grade Pay of Rs.1,900/- gets his first regular promotion in the PB-I in the Grade Pay of Rs.2,400/- on completion of 8 years of service and then continues in the same Grade Pay for further 10 years without any promotion, then he would be eligible for MACP II in PB-1 in the Grade Pay of Rs.2,800/- after completion of 18 years (8+10 years). In case, he does not get any further promotion then he would get 3rd MACP in the PA-2 in Grade Pay of Rs.4,200 on further completion of 10 years of service (8+10+10).

7.In the instant case, the respondent herein had been appointed as Postman on 14.12.1990. He was promoted as Postal Assistant on 28.02.1995, within 10 years of service. Therefore, the 1st MACP would be adjusted with the financial benefits he received as promotion to the post of Postal Assistant. He however remained without any promotion in the next 10 years till 28.02.2005. The MACPS II came into effect on and from 01.09.2008. He was therefore eligible for the financial benefit under MACPS II on and from 01.09.2008. On that date, he had completed 13 years of service without promotion. He would be eligible for MACPS III on completion of 20 years of continuous service without any promotion as Postal Assistant from 28.02.1995. This, in effect is the scheme



which had been introduced, in view of the fact that there was no promotional avenue available for the respondent herein. The Tribunal had also extended the 3rd MACP financial benefits w.e.f 28.02.2015.

8. We find no infirmity in the said order. The Writ Petition, therefore, stands dismissed. The order of the Tribunal is confirmed and upheld. We would direct that arrears of pay and allowances and other consequential benefits as per MACPS III should be extended to the 1st respondent within a period of three months from the date of receipt of a certified copy of this order. We would further direct that, if the said amount is not paid within the said stipulated time period, then the amount shall carry interest at the rate of 9% per annum. No order as to costs. Consequently, connected Writ Miscellaneous Petition is closed.

(C.V.K.,J.) (K.B.,J.)
28-01-2026

smv

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No



WEB COPY

WP No. 35990 of 2



**C.V.KARTHIKEYAN, J.
AND
K.KUMARESH BABU, J.**

smv

WP No. 35990 of 2024

28-01-2026