



W.P.No.29651 of 2018

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2026

CORAM

THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.P.No.29651 of 2018

B.Rajan
Tutor Cum Warden
Government Boy's Hostel (Most Back Ward Welfare)
Arrachallur
Erode District.

...Petitioner

Vs.

1.The Government of Tamil Nadu
Rep.by Principal Secretary to the Government
P&AR Department
Fort.St.George
Chennai 9.

2.The Principal Secretary
Government of Tamil Nadu
Finance Department
Fort.St.George
Chennai 9.

3.The Principal Secretary
Government of Tamil Nadu
Backward Class and Minority Welfare Department
Fort.St.George
Chennai 9.



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4.The Commissioner
Backward Class Welfare Department
Chepauk
Chennai 5.

5.The District Backward Welfare Officer
Erode District
Erode.

...Respondents

Prayer: This Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent in relation to the Government Letter No.7296/S/2012/1/p and AR(S) Department dated 14-5-2012 and quash the same in so far as the petitioner is concerned and issue a consequential direction to the respondents to extend the GO.Ms.No.210 P & AR (per.S) Dept dated 11th March 1987 to count the service rendered in selection grade of lower post namely Warden from 3-6-2000 and to award selection grade in the higher post namely Tutor cum Warden from 3-6-2010 and to grant all attendant benefits including arrears of pay.

For Petitioner : Mr.R.Saseetharan

For Respondents : Mrs.S.Anitha
Special Government Pleader

ORDER

The petitioner seeks the issuance of a writ of Certiorarified Mandamus, assailing the communication dated 14.05.2012 insofar as it concerns the petitioner, and seeking a consequential direction to the respondents to extend

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the benefit of G.O.Ms.No.210, P & AR (Per.S) Department, dated 11.03.1987,

by counting the service rendered in the Selection Grade of the lower post, namely Warden, from 03.06.2000, and to award Selection Grade in the higher post, namely Tutor-cum-Warden, from 03.06.2010, along with all attendant benefits including arrears of pay.

2. Heard Mr.R.Saseetharan, learned counsel for the petitioner, and Mrs.S.Anitha, learned Special Government Pleader, appearing for the respondents.

3. The petitioner seeks extension of the benefits under G.O.Ms.No.210 dated 11.03.1987, which stipulates that the service rendered in the Selection Grade of a lower post shall be counted as Selection Grade in the promoted post, provided that the Selection Grade scale of the lower post is identical to the ordinary grade scale of the higher post, and that such concession will be allowed only at the first level of promotion.

4. In the counter affidavit filed by the fifth respondent, it is stated that the petitioner's service from 03.06.2000 to 20.04.2008 and thereafter from 20.04.2008 onwards was in different cadres, and that the scale of pay applicable



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to the petitioner also varied during these periods. Therefore, the petitioner's claim is not covered within the stipulated period (i.e., between 01.01.2006 and 31.05.2009), and further, his service from 03.06.2000 to 03.06.2010 was in two different cadres with different time scales of pay.

5. The averments made in the counter affidavit have not been rebutted. In light of the same, the petitioner is not entitled to the benefits under G.O.Ms.No.210 dated 11.03.1987.

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



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HEMANT CHANDANGOUDAR.J.,

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