



WP(MD). Nos.6688 and 6133
of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 26/03/2026

CORAM

THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD). Nos.6688 and 6133 of 2026
and WMP(MD)Nos.5525, 5526, 5150 and 5152 of 2026

In WP(MD)No.6688 of 2026:

A.Chithra Hepzibah

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep by its Secretary to Government,
School Education Department,
Fort St George,
Chennai 600 009.

2. The Principal Accountant General,
O/o the Accountant General,
Tamil Nadu Authorisation of Revision
of Pension/ Gratuity / Commutation,
No. 361 Anna Salai,
Teynampet, Chennai - 600 018.

3. The Director of Elementary Education,
O/o the Director of Elementary Education,
College Road, Chennai 06.

4. The District Educational Officer (Elementary),
O/o the District Education Officer,
Tuticorin District.

5. The Block Educational Officer,
O/o the Block Education Officer,
Srivaikundam,
Tuticorin District..

1/10



WP(MD). Nos.6688 and 6133
of 2026

6. The Correspondent Cum Manager,
Tndta Primary and Middle Schools,
CSI Thoothukudi Nazareth Diocese,
Thoothukudi 628 001.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari to call for the records pertaining to the Impugned Order in P09 2/10929949 / ADK dated 13.11.2024 on the file of the Respondent No.2 and the Consequential Impugned Order of Revised and Re fixation of Pay dated 18.06.2025 on the file of the Respondent No.6 and quash the same as illegal.

In WP(MD)No.6133 of 2026:

J.R.Jessie

... Petitioner

Vs.

1. The State of Tamilnadu,
Rep by its Secretary to Government,
School Education Department,
Fort St.George,
Chennai 600 009.

2. The Director of Elementary Education,
O/o the Director of
Elementary Education,
College Road, Chennai 06.

3. The District Education Officer (Elementary),
O/o the District Education Officer,
Tuticorin District.

4. The Block Education Officer,-2,
O/o the Block Education Officer,
Srivaigundam, Thoothukudi.

5. The Correspondent,
Tndta Primary and Middle Schools,
Melaseithalai Pastorate,
Thoothukudi.

6. The Principal Accountant General,
O/o the Accountant General (A and E),
361 Anna Salai, Teynampet,
Chennai 18.

... Respondents



WP(MD). Nos.6688 and 6133
of 2026

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Na.Ka.No. 1853/A1/2025 dated 19.09.2025 and the Consequential Impugned Order in Moo.Mu.No. 1863.Aa/2025 dated 06.10.2025 on the file of the Respondent No.4 and quash the same as illegal and consequently for a direction, directing the Respondent No.4 to 6 to disburse the death cum retirement gratuity, encashment of earned leave, unearned leave and all other eligible terminal benefits within the time period stipulated by this Court.

In both petitions:

For petitioner : Mr.S.Rajasekar
for M/s.Roy and Roy Associates

For R1, R3- R5
(In WP(MD)No.6688/26) :Mr.N.Satheesh Kumar
Additional Government Pleader

For R1 to R4
(In WP(MD)No.6133/26) :Mr.N.Satheesh Kumar
Additional Government Pleader

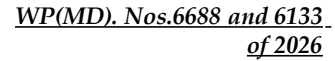
For R2
(In WP(MD)No.6688/26) :M/s.S.Mahalakshmi

For R6
(In WP(MD)No.6133/26) :M/s.S.Mahalakshmi

COMMON ORDER

The issue that arises for consideration in both cases is one and the same. Both the matters are clubbed together and are taken up for final disposal.

2. These writ petitions have been filed against the orders passed



3. Mr.N.Satheesh Kumar, Additional Government Pleaders appearing for the official respondents fairly submitted that an identical issue has fallen for consideration before a co-ordinate bench of the Principal Seat of this Court in W.P.No.12275 of 2024 and batch of the said batch of writ petitions have been disposed of issuing the said directions at paragraph 85 of the said order, and as such the said writ petitions can also be disposed of on the same lines.

5. In the light of the above, this Court, after perusing the order dated 02.03.2026, is of the considered view that these batch of matters also can be disposed of in the light of various directions



WP(MD). Nos.6688 and 6133
of 2026

issued in W.P.No. 12275 of 2024 and batch dated 02.03.2026. The said directions issued at paragraph No. 85 of the said order reads as under:

"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 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



WEB COPY



WP(MD). Nos.6688 and 6133
of 2026

8.11.2010, more particularly para 4 (i) of the said Government Order, no action shall be taken by the respondents to re-fix 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 re-fixing their scales of pay in the selection grade as also the pensionary benefits of the pensioners by re-fixing 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 re-fixation 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 re-fixing 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



WEB COPY



WP(MD). Nos.6688 and 6133
of 2026

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".

6. Accordingly, these writ petitions are disposed of in terms of the above directions. No costs. Consequently, connected miscellaneous petitions are closed.

26.03.2026

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
CM



WEB COPY



WP(MD). Nos.6688 and 6133
of 2026

To,

1. The State of Tamilnadu,
Rep by its Secretary to Government,
School Education Department,
Fort St George,
Chennai 600 009.
2. The Principal Accountant General,
O/o the Accountant General,
Tamil Nadu Authorisation of Revision
of Pension/ Gratuity / Commutation,
No. 361 Anna Salai,
Teynampet, Chennai – 600 018.
3. The Director of Elementary Education,
O/o the Director of Elementary Education,
College Road, Chennai 06.
4. The District Educational Officer (Elementary),
O/o the District Education Officer,
Tuticorin District.
5. The Block Educational Officer,
O/o the Block Education Officer,
Srivaikundam,
Tuticorin District.



WEB COPY



WP(MD). Nos.6688 and 6133
of 2026

MUMMINENI SUDHEER KUMAR, J

CM

WP(MD). Nos.6688 and 6133 of 2026
and WMP(MD)Nos.6688, 5526, 5150 and 5152 of 2026



WEB COPY



WP(MD). Nos.6688 and 6133
of 2026

Date : 26/03/2026