



W.P(MD) No.8163 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 07.04.2026

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THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD).No.8163 of 2025

and

WMP(MD)No.6125 of 2025

D.Baskaran,
S/o Devaraj,
No.42, Perkinspuram 4th Street,
Aruppukottai,
Virudhunagar District.

... Petitioner

Vs.

1. The Secretary to Government,
School Education Department,
Secretariat,
Fort St. George,
Chennai – 600 009.
2. The Accountant General (A & E)
No. 361, Anna Salai,
Chennai – 600 009.
3. The Chief Educational Officer,
Virudhunagar District,
Virudhunagar



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4. The District Educational Officer, (Secondary),
Virudhunagar District,
Virudhunagar

5. The Treasury Officer,
Virudhunagar District,
Virudhunagar.

.. Respondents

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 relating to the impugned proceeding in Na.Ka.No. 10518/A5/2024 dated 18.12.2024 issued by the 4th respondent and consequential impugned proceedings in Rc.No.9387/63/2024 dated 04.03.2025 issued by the 4th respondent and quash the same and consequently direct the respondents to refund the amount of Rs. 13,36,672/- (Rupees Thirteen Lakhs Thrity Six Thousand Six Hundred and Seventy Two Only) along with interest and to revise the service benefits of the petitioner by fixing the grade pay as Rs.5,400/- (Rupees Five Thousand Four Hundred only) and disburse the same.

For Petitioner : Mr.T.Antony Arul Raj

For Respondents : Mr.P.S.Raman,
Advocate General



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assisted by Mr.N.Satheesh Kumar - for R1, R3 to R5

Additional Government Pleader

For Respondent : M/s. S.Mahalakshmi - for R-2

Standing Counsel

ORDER

This writ petition has been filed against various orders passed by the respondent authorities re-fixing the pay of the petitioner and ordering for recovery of certain amounts pursuant to re-fixation of pay in terms of G.O.(Ms.)No.234, Finance (Pay and Cell) Department dated 01.06.2009 and G.O.(Ms.)No.23, Finance (Pay and Cell) Department dated 12.01.2011.

2. Mr.P.S.Raman, learned Advocate General, assisted by the learned Additional Government Pleader appearing for the respondents 1, 3 to 5 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 and the said batch of writ petitions have been disposed of issuing various directions at paragraph No.85 of



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the said order, and as such this writ petition can also be disposed of on the same lines.

3. In response to the same, the learned counsel appearing for the petitioner in this writ petition has also agreed for the same.

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



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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 re-fix 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 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



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persons who are in service by refixing their scales of pay in the selection grade as also the pensionary benefits of the pensioners by refixing 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 refixation 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 refixing 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



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they become eligible for such selection grade scale 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".

5. Accordingly, this writ petition shall stands disposed of in terms of the above directions. No costs. Consequently, connected miscellaneous petition is closed.

07.04.2026

Index : Yes / No
Internet : Yes / No
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MUMMINENI SUDHEER KUMAR, J.

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