



W.A.(MD)No.1006 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 29.01.2026

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MRS.JUSTICE R.KALAIMATHI**

W.A.(MD)No.1006 of 2022

S.Floria Stella

... Appellant

Vs.

- 1.The State of Tamil Nadu
Rep. by its Secretary to Government,
Social Welfare Department,
Secretariat, Chennai - 600 009.
- 2.The Director of Social Welfare,
Chennai - 600 005.
- 3.The District Social Welfare Officer,
Trichy.
- 4.The Secretary to Government,
Finance (Pay Cell) Department,
Secretariat, Chennai 600 009.

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD).No.1347 of 2013 dated 16.06.2022 on the file of this Court.



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For Appellant : Mr.B.Saravanan, Senior Counsel,
For Mr.D.Kirubakaran.

For Respondents : Mr.S.Shaji Bino,
Spl. Government Pleader.

JUDGMENT
(By G.R.SWAMINATHAN, J.)

The unsuccessful writ petitioner is the appellant before us. The appellant was appointed as Tailoring Instructor on 08.04.1996. The grievance of the appellant is that Tailoring Instructor Grade II in Social Defence Department are getting higher pay. The appellant demanded parity. Her request was rejected by the department on the ground that the qualification prescribed for the post of Tailoring Instructor Grade II in social Defence Department was higher than the one prescribed for the post of Tailoring Instructor Grade II in Social Welfare Department. Paragraph No.1 of the impugned letter dated 21.09.2022 issued by the Principal Secretary to Government, Social Welfare Department, Chennai reads as follows:

“I am directed to invite your attention to references citd and after examining request based on the orders of the Hon'ble High Court, I am to state that the qualification prescribed for



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the Tailoring Instructor Grade-II in Social Welfare Department is pass in III form or VIII standard with Government Technical Examination in Tailoring Needle Work, Embroidery and Dress making. Whereas the qualification prescribed for the Tailoring Instructor Grade – II in Social Defence Department, is Trade Tailoring and in Embroidery and Needle work as the case may be. The post of Tailoring Instructor have also been inexistence in Medical Education Department and the post of Instructor and Instructors in various trade categories viz., Mason / Binding / Carpentry / Weaving and Craft in the scale of pay of Rs.3050-4590 with similar qualification to that the post of Tailoring Instructor in Social Defence and Social Welfare. The One Man Commission, 98 has recommended for revision of scale of pay of the post of Tailoring Instructor Grade – II in Social Defence Department on the ground that the said post has been placed in the cadre of Secondary Grade Teacher. Accordingly, orders were issued in G.O.(Ms)No.554, Finance (PC) Department, dated 28.09.1998 revising the scale of pay of the post of Tailoring Instructor in Social Defence as Rs. 4500-7000. Further, the petitioner in W.A.No.79 of 2009 Thiru.M.Swamikanny, Electrician Grade – II working in Government Rehabilitation Home has requested to revise his pay from Rs.3050-4590 to Rs.4500-7000 on par with Weaving Instructor / Tailoring Instructor as ordered in G.O. dated 28.09.1998. based on the orders of the Hon'ble High Court dated 28.06.2011 in W.A.No.79 of 2009 the request of the petitioner has been examined in detail and rejected on the



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grounds that the post of Electrician Grade – II held by the petitioner is not a teaching post and it comes under Trade post category for which the qualification is only ITI Trade Certificate. Further, the entire Grade – II Trade posts in all Government Departments were granted an uniform scale of pay of Rs.3050-4590 with effect from 01.01.1996 and no special dispensation can be made to the petitioner alone. However, the request for revision of scale of pay of the post of Tailoring Instructor in Social Welfare Department have also been placed before the One Man Commission, 2009 constituted to rectify the anomalies arising out of the recommendations of Official Committee, 2009. Considering the qualification, nature of duties and responsibilities attached to this post the Commission has rejected the request of seeking higher scale of pay.”

Challenging the same, the appellant filed W.P.(MD)No.1347 of 2013.

The learned Single Judge vide order dated 16.06.2022 dismissed the writ petition by upholding the reason assigned by the government.

Questioning the same, this writ appeal has been filed.

2.Merely because the nomenclature of the two posts is one and the same, that itself is not sufficient to demand parity in the matter of pay. The qualification attached to the post must also be identical apart from



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other considerations. In the case on hand, admittedly, the qualification prescribed for the post of Tailoring Instructor Grade II in the Social Defence Department is higher than what has been prescribed for the said post in Social Welfare Department. In this view of the matter, the appellant's request was denied. We find that the reason assigned by the government is sustainable in law. The learned Single Judge rightly approached the issue. Interference is not called for. The writ appeal stands dismissed. No costs.

(G.R.S. J.) & (R.K.M. J.)
29.01.2026

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

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