

(2011) 02 MAD CK 0128
In the Madras High Court
Case No : W.A. No. 130 of 2011

Forest Extension Officer, Forest Extension Division	APPELLANT
Vs	
M. Balakrishnan	RESPONDENT

Date of Decision : 14-02-2011

Acts Referred:

Citation : (2011) 02 MAD CK 0128

Hon'ble Judges : R. Subbiah, J;N. Paul Vasanthakumar, J

Bench : Division Bench

Advocate : M. Rajarajan, for the Appellant; K. Ravi, for the Respondent

Final Decision : Dismissed

Judgement

R.Subbiah, J.—These writ appeals arise out of a common order dated 26.08.2010 passed in W.P.(MD)Nos.10594, 10596 and 10597 of

2010 whereby the learned single Judge allowing the writ petitions filed by the Respondents quashed the letter dated 1.10.2007 passed by the

Secretary to Government, Finance(Pay Cell) Department, with a direction to pass appropriate orders in respect of fixation of pay in selection

grade and special grade to the drivers of various Government departments relating to the writ Petitioners/Respondents as per G.O. Ms. No. 162,

Finance (Pay Cell) Department, dated 13.04.1998 and confer the said benefits.

2. The Respondents are working as drivers in the forest department. They were awarded selection grade and special grade on different dates. But

they were not given increased scale of pay as per G.O. Ms. No. 162, Finance (Pay Cell) Department, dated 13.04.1998. It is the grievance of the

Respondents that most of the Head of the Department have extended the benefits of selection/special grades in the scale of pay at Rs. 5,000/-and

Rs. 5,500/-to most of the drivers working in different departments since they have no promotional avenues. Though selection/special grade scale of

pay was extended to the drivers who are working in different departments as per G.O. Ms. No. 162, Finance (Pay Cell) Department, dated

13.04.1998, the forest department has not implemented the same. On earlier occasion, in the writ petition in W.P. No. 25889 of 2010 filed by

some of the drivers of the forest department, one of us (NPVJ) by order dated 16.11.2010 directed the Appellant/department to implement the

said G.O. Ms. No. 162, Finance (Pay Cell) Department, dated 13.04.1998. Even in the writ appeal in W.A. Nos. 383 to 391 of 2009, this Court

has held as follows:

15. In that view of the matter, the authorities are bound to implement the Selection Grade and Special Grade scale of pay as indicated in Schedule

- II of the Tamil Nadu Revised Scales of pay Rules 1998 and they cannot refuse to extend the benefit uniformly to all the drivers who have no

promotional avenues. We find no illegality or infirmity in the order of the learned single Judge warranting interference of this Court.

16. The writ appeals filed by the Government fail and stand dismissed. No costs. Connected Miscellaneous Petitions are closed.

17. In view of the dismissal of the writ appeals preferred by the Government as against the quashing of the impugned letter issued by the first

Appellant by the learned single Judge, W.P. No. 893 of 2009 filed by the member of the Association is allowed. No costs.

3. The learned single Judge by following the said judgment directed the Appellant to implement the said G.O. Ms. No. 162, Finance (Pay Cell)

Department, dated 13.04.1998 to the Respondents.

4. Hence, we do not find any infirmity in the order passed by the learned single Judge. The writ appeals are dismissed accordingly. No costs.

Consequently, connected M.P. are closed.