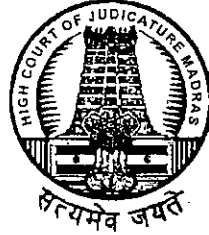


Roc. No.3545/2019/G2,
Roc. No.89928/2019/G2,
Roc. No.5346/2019/G2 &
Roc. No.76242/2020/G2



CIRCULAR

Sub: Public Services – Tamil Nadu Judicial Ministerial Service – Scale of pay of certain posts in the Subordinate Courts upgraded to the level of Superintendent in Tamil Nadu Ministerial Service – G.O.(Ms.) No.416, Home (Courts-V) Department, dated 11.03.1993 issued – Addressed the Government for issuing amendment to the said G.O. – Certain directions issued – Regarding.

- Ref: 1. High Court's letter in Roc. No.391/91/G2, dated 30.09.1991.
2. G.O. (Ms) No.416, Home (Courts-V) Department, dated 11.03.1993.
3. High Court's Proceedings in Roc. No.391/91/G2, dated 20.07.1993
4. Order dated 12.04.2017 in W.P. (MD) Nos. 13459 to 13461 of 2011.
5. High Court's letter in Roc. No.3545/2019/G2, dated 13.09.2021.

The Government, in G.O. Ms.No.416, Home (Cts.V) Department, dated 11.3.1993, have issued orders to upgrade the posts of **Head Clerks** in Sub Court, District Munsif Court, **Judicial Magistrate Court**, Deputy Nazir, Record Keeper, Translator, in the scale of pay of Rs.1400-2600, to the level of Superintendents in the Tamil Nadu Ministerial Service in the scale of pay of Rs.1600-2660/-.

2. In the said Government Order, though the Government among other posts have upgraded the post of **Head Clerk in the Judicial**

Magistrate Court instead of **Head Clerk in the Chief Judicial Magistrate Court**, the High Court, in its Proceedings dated 20.07.1993 in the reference 2nd cited, among other posts, has upgraded only the posts of **Head Clerk in Sub Courts, District Munsif Courts (including DM-cum-JM Court) and Chief Judicial Magistrate Courts** and not the post of Head Clerk of Judicial Magistrate Courts, as proposed by the High Court under reference 1st cited.

3. However, taking advantage of the mistake crept-in in G.O. (Ms) No.416, Home (Courts-V) Department, dated 11.03.1993, the pay scale as that of the Superintendent level was sought for by the Head Clerks in the Judicial Magistrate Courts by filing Writ Petitions, which were accordingly ordered. Placing reliance on the same, similarly situated persons (both in-service and retired) are requesting to refix their pay as per the aforesaid Government Order.

4. Therefore, the High Court, in the letter under reference 4th cited, has addressed the Government to issue necessary amendment to G.O. Ms. No.416, Home (Cts.V) Department, dated 11.3.1993, to replace the words "Judicial Magistrate Court" by the words "Chief Judicial Magistrate Court" and orders in this regard are awaited.

5. In view of the above, the Principal Judge/Principal District Judges /District Judges /District Judge - cum - Chief Judicial Magistrate in the State of Tamil Nadu are hereby directed that no claim made by any of the Head Clerk of the Judicial Magistrate Courts seeking pay revision on par with that of Superintendents in Tamil Nadu Ministerial Service shall be entertained based on the orders passed by the Hon'ble Division Bench in W.P. (MD) Nos.13459 to 13461 of 2011 dated 12.04.2017.

4. The receipt of this Circular is required to be acknowledged.

High Court, Madras.

Dated: 13.09.2021.

13.9.2021
Registrar General

To:

1. All the Hon'ble Judges (for information)
2. All the Registrars, High Court of Madras/Madurai Bench of Madras High Court, Madurai. 25
3. The Principal Judge, City Civil Court, Chennai.
4. The Chief Judge, Court of Small Causes, Chennai.
5. All the Principal District Judges/District Judges.
6. The District Judge-Cum-Chief Judicial Magistrate, The Nilgiris @ Udhagamandalam
7. The Chief Metropolitan Magistrate, Egmore, Chennai.
8. All the Chief Judicial Magistrates.
9. The Record Keeper, A.D. Records, High Court, Madras.

With a request to communicate the copy of this circular to all the courts in your District/ unit.

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