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WA Nos. 1676, 1673, 1677 and 1678 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

**WA Nos. 1676, 1673, 1677 and 1678 of 2026
AND CMP Nos. 15324, 15306, 15323 and 15319 OF 2026**

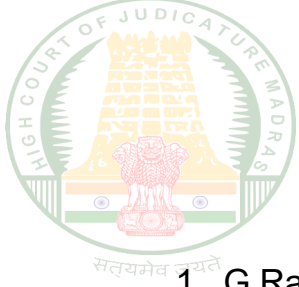
1. The Managing Director
Tamil Nadu State Transport Corporation
(TNSTC) Salem Ltd., No.12, Ramakrishna
Road, Salem-07.
2. The General Manager
Tamil Nadu State Transport Corporation
(TNSTC) Salem Ltd., Dharmapuri Region,
Dharmapuri.

..Appellants in all the
Writ Appeals

Vs

1. S Vijayakumar
S/o. Subramanian,
MIG No.808C, TNHB Phase II,
Royakottai Road,
Krishnagiri Post and District-002.
2. The Administrator
TNSTC Employees Pension Fund Trust,
Office of the SETC HO,
Thiruvallur House,
Pallavan Salai,
Chennai 600 002.

..Respondents in
W.A.1676 of 2026



WA Nos. 1676, 1673, 1677 and 1678 of 2026

1. G Ravichandran

2. The Administrator
TNSTC Employees Pension Fund Trust,
Office of The SETC HO,
Thiruvalluvar House,
Pallavan Salai, Chennai 600 002

..Respondents in
W.A.No.1673 of 2026

1. C Baskaran
S/o Chinnaraji,
Staff No.EA 5131,
L-257, Phase -2 New Housing Board,
Krishnagiri - 636 001
2. The Administrator
TNSTC Employees Pension Fund Trust,
Office of the SETC HO,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002

..Respondents in
W.A.No.1677 of 2026

1. M.Velmurugan
2. The Administrator
TNSTC Employees Pension Fund Trust,
Office of the SETC HO,
Thiruvallur House,
Pallavan Salai,
Chennai 600 002.

..Respondents in
W.A.No.1678 of 2026



WA Nos. 1676, 1673, 1677 and 1678 of 2026

Prayer in WA No. 1676 of 2026 : Writ Appeal under Clause XV of the Letters Patent to allow the Writ Appeal and set aside the order dated 14.11.2025 passed in WP No.43554 of 2025.

Prayer in WA No. 1673 of 2026 : Writ Appeal under Clause XV of the Letters Patent to allow the writ appeal and set aside the order dated 17-11-2025 passed in WP.No.44005 of 2025.

Prayer in WA No. 1677 of 2026 : Writ Appeal under Clause XV of the Letters Patent to allow the appeal and set aside the order dated 14.11.2025 passed in WP.No.43557 of 2025.

Prayer in WA No. 1678 of 2026 : Writ Appeal under Clause XV of the Letters Patent to allow the Writ Appeal and set aside the order dated 14.11.2025 passed in WP No.43552 of 2025.

In all W.As.

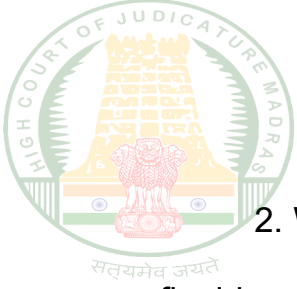
For Appellants : Ms. Dhakshayani Reddy, Senior Counsel
for Ms.Madhuri Donti Reddy

For Respondents : Mr.D.Soundar Raj – for R1 in all W.As

Common Judgment

(Judgment of the Court was delivered by S.M.Subramaniam J.)

The present intra court appeals under Clause XV of the Letters Patent have been instituted by the Tamil Nadu State Transport Corporation (TNSTC) Salem Limited challenging the writ order dated 14.11.2025 passed in W.P.Nos.43554, 43557 and 43552 of 2025 and order dated 17.11.2025 passed in W.P.No.44005 of 2025. The issue relating to fixation of pay has been considered by the Writ Court.



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2. With the consent of both the parties, the writ appeals are taken up for final hearing. Heard Ms.Dhakshayani Reddy, learned Senior Counsel for the appellants and Mr.D.Soundar Raj, learned counsel for the first respondent in all the writ appeals.

3. Learned Senior Counsel for the appellants would submit that the supervisory officials who retired long back started filing writ petitions and such writ petitions are ordered in a mechanical way, which resulted in creating precedents contrary to the Pay Rules as well as Government Orders and caused huge financial loss to the transport corporation.

4. The governing principles of judicial interference in revision of pay to the employees have been settled in a catena of judgments. In the case of **State of Bihar -vs- The Bihar Secondary Teachers Struggle Committee, Munger and Others** reported in **AIR 2019 SC 2521**, the Supreme Court carved out the principles that,

- i. The doctrine of 'equal pay for equal work' is not an abstract doctrine.
- ii. The principle of 'equal pay for equal work' has no mechanical application in every case.
- iii. Thus normally the applicability of this principle must be left to be evaluated and determined by an expert body. These are not



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matters where a writ court can lightly interfere.

- iv. Granting pay scales is a purely executive function and hence the court should not interfere with the same. It may have a cascading effect creating all kinds of problems for the Government and authorities.
- v. Equation of posts and salary is a complex matter which should be left to an expert body.

5. In the case of **S.C. Chandra & Ors v. State of Jharkhand & Ors**, the Supreme Court reiterated that, granting pay scale is purely executive function and hence the Courts should not interfere with the same. The Court should exercise judicial restraint and not interfere in such executive function. The Courts, in exercise of their limited power of judicial review can only examine whether the decision of the State authorities is rational and just or prejudicial to a particular set of employees.

6. In the case of **State of Haryana and Others -vs- Haryana Civil Secretariat Personal Staff Association (2002) 6 SCC 72**, the Apex Court emphasised that, "The courts should approach such matters with restraint and interfere only when they are satisfied that the decision of the government is patently irrational unjust and prejudicial to a section of employees and the government, while taking the decision has ignored factors which are material and relevant for a decision in the matter. Even in a case where the court

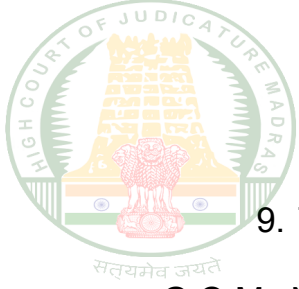


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holds the order passed by the government to be unsustainable then ordinarily a direction should be given to the State Government or the authority taking the decision to reconsider the matter and pass a proper order. **The court should avoid giving a declaration granting a particular scale of pay and compelling the government to implement the same."**

7. In the case of **Union of India and Others -vs- Dineshan K.K. (MANU SC/03/95/2008)**, the Hon'ble Supreme Court held that, "Nevertheless, it will not be correct to lay down as an absolute rule that merely because determination and granting of pay scales is the prerogative of the Executive, the Court has no jurisdiction to examine any pay structure and an aggrieved employee has no remedy if he is unjustly treated by arbitrary State action or inaction, except to go on knocking at the doors of the Executive or the Legislature, as is sought to be canvassed on behalf of the appellants".

8. Coming to the facts of the present case, the respondents are working in supervisory cadre in the appellant Transport Corporation. As per the appointment order, the respondents are eligible to draw pay in the scale of pay of Rs.9300-34800 Grade Pay Rs.4600. It is not in dispute that the said scale of pay was fixed and being paid to the respondents by the appellant Corporation.



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9. The appellants filed the writ petitions setting out the claim based on G.O.Ms.No.134 dated 09.04.2018 issued regarding implementation of Tamil Nadu Revised Scales of Pay Rules 2009 to the Managerial Cadre Officers and Technical / Administrative, Supervisory Cadre Employees of State Transport Undertakings. Relying on the said Government Order, the Writ Court also granted relief by issuing a direction to the appellants to fix the pay of the respondents by adopting 2.57 matrix and to disburse the arrears to the respondents within a period of eight weeks from the date of receipt of a copy of the order impugned.

10. Question arises whether such a direction issued by the Writ Court fixing the pay of the respondents by adopting 2.57 matrix is in consonance with the legal principles settled by the Supreme Court in view of the judgments cited supra?

11. Let us now examine the merits of the claim set out by the respondents in the writ proceedings. Learned Senior Counsel for the appellants would draw the attention of this Court to G.O.Ms.No.134, Transport Department dated 09.04.2018 and submit that the said government order was issued regarding implementation of Revised Scales of Pay Rules 2009 to the Managerial Cadre Officers and Technical / Administrative, Supervisory Cadre



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Employees of State Transport Undertakings as ordered by the Government.

However, regarding the method of fixation, there is no mention in the said Government Order.

12. The subsequent order passed by the Government in G.O.Ms.No.330, Transport Department dated 31.10.2018, the Government has issued guidelines for fixation of pay to the Technical / Administrative, Supervisory Cadre Employees promoted / re-designed on or after 01.01.2016. A committee headed by the Deputy Secretary to the Government was constituted, who submitted a report on 30.10.2018. After G.O.Ms.No.134 dated 09.04.2018, based on the report of the committee, the Government issued G.O.Ms.No.330, Transport Department dated 31.10.2018 regarding fixation of pay. Therefore, the pay of these officials are fixed in accordance with the terms fixed in G.O.Ms.No.330 dated 31.10.2018.

13. Para 4, Clause (vi) of G.O.Ms.No.313 reads as under:

“ vi. The Administrative / Technical Supervisory cadre employees of State Transport Undertakings who have been promoted / redesignated on or after 01.01.2016 are the employees who were covered under 12(3) Wage Settlement and who have already enjoyed pay revision to an extent of 5.5% hike during the

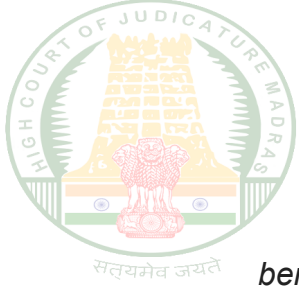


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Wage Settlement 2013. This is the main reason why such employees cannot be compared with the employees who have waited for 10 years without any pay revisions similar to Government employees and for whom multiplier factor 2.57 has been adopted. In simple, 2.57 multiplier factor is applicable to only those employees who have not enjoyed any pay revision during the last ten years je., between 01.01.2006 and 01.01.2016. In the instant case, as the Administrative / Technical Supervisory cadre employees of State Transport Undertakings who have been promoted/redesignated on or after 01.01.2016 have already received a pay hike to the tune of 5.5% during the wage settlement 2013 and therefore any revision in pay beyond the multiplier factor @2.44 would be unreasonable and they cannot be treated on par with the employees who were waiting for the last 10 years without pay revision and for whom revision multiplier factor @ 2.57 duly taking into account the economic growth of 14.2% during the last 10 years. Moreover, pay revision of employees are not implemented based on the anticipated future growth for next 10 years.”

14. Paragraphs 5 and 6 of the Government Order is extracted hereunder :



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“5. Hence, the committee has concluded that the existing benefit allowed in GO (Ms) No 220, Transport (C. 1) Department, dated 23.7.2018 ie., applying 244 multiplier factor to the Technical / Administrative Supervisory category employees who have been promoted and migrated to Government souls of pay pattern between 01.01.2016 and 31.08.2016 as well as after 01.09.2018 after getting the benefit of wage settlement, 2016] is reasonable and the same may be continued.

6. The Government after careful examination has decided to accept the report of the committee in para 4 and 5 above and direct the Managing Directors of all State Transport Undertakings to continue the existing benefit allowed in GO (M) No.220, Transport (C.1) Department, dated 23.07.2018 ie., applying 2.44 multiplier factor to the Technical / Administrative Supervisory category employees who have been promoted and migrated to Government scale of pay pattern between Of 01.2015 and 31.08.2016 as well as after 01.09.2016 [ie., after getting the benefit of wage settlement, 2016] and to fix the pay of the above category of employees accordingly.”

15. Para 4 Clause (vi) of G.O.Ms.No.330 dated 31.10.2018, in unambiguous terms, reiterates the reason for fixation and pertinently, in simple terms states that 2.57 multiplier factor is applicable to only those employees who have not enjoyed any pay revision during the last ten years ie., between 01.01.2006 and 01.01.2016. Therefore, the said 2.57 multiplier factor is fixed to the employees who have not enjoyed any pay revision for

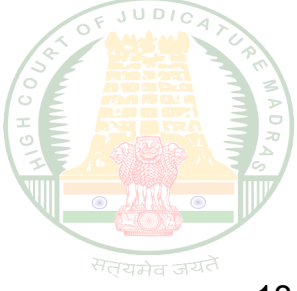


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about ten years. Thus, 2.57 multiplier factor cannot be implemented uniformly to all the supervisory officials, which is not contemplated under G.O.Ms.No.330.

16. It is brought to the notice of this Court that a spinning wheel of precedence is created based on the erroneous interpretation of those Government Orders and such orders need not be followed as precedence, since the scope of fixation of pay in consonance of G.O.Ms.No.330 dated 31.10.2018 has not been adjudicated elaborately. Para 5 of G.O.Ms.No.330 also amplifies about the eligibility and the multiplier factor to be adopted.

17. Applying the principles laid down by the Hon'ble Supreme Court in the judgments cited supra, this Court is of the considered view that if at all any error has crept in with respect to the pay fixation of individual employees, they have to file appropriate representation before the competent authority, who in turn is bound to verify the correctness of the fixation of pay to those employees and thereafter take a decision. However, the High Court issuing a straight direction that fixation of pay by adopting 2.57 multiplier, is not in consonance with the legal principles settled and more so such direction would result in huge financial burden to the exchequer and would fall beyond the realm of the powers of judicial review.



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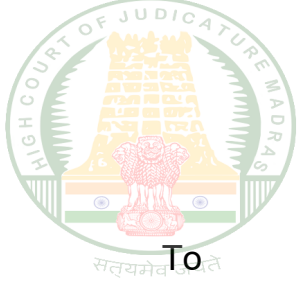
18. In view of the above factual and legal position, the orders impugned passed by the Writ Court are set aside and the writ appeals stand allowed.

No costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S.,J.) (R.S.V.,J.)
24-06-2026

Index: Yes
Speaking order
Neutral Citation: Yes

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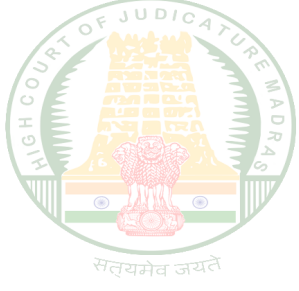


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**S.M.SUBRAMANIAM J.
AND
R.SAKTHIVEL J.**

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