



W.A(MD)No.1314 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2026

CORAM:

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HONOURABLE MR.JUSTICE R.SAKTHIVEL**

**W.A(MD)No.1314 of 2026
and
CMP(MD)No.11306 of 2026**

1. The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli.

2. The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli Region,
Tirunelveli.

... Appellants

vs.

1. B.Subburaj

2. The Chairman/ Secretary to Government,
Transport Department,
Secretariat, Chennai -9.

3. The Administrator,
Tamil Nadu State Transport Corporation Employees Pension Fund Trust,
Pallavan Salai, Tiruvalluvar Illam, Chennai -2. ... Respondents

PRAYER : Writ Appeal filed under Claus 15 of Letters Patent, against the order dated 30.10.2025 made in W.P(MD)No.7687 of 2021.

Page No.1/5



W.A(MD)No.1314 of 2026

For Appellants : Mr.P.F.Ferlin Castro
For R1 : Mr.S.Govindan
For R2 : Mr.M.Kannan, Special Government Pleader
For R3 : Mr.S.C.Herold Singh

JUDGMENT

(Judgment of the Court was made by C.V.KARTHIKEYAN, J.)

The respondents in W.P(MD)No.7687 of 2021 aggrieved by the order dated 30.10.2025 have filed the present appeal.

2. The said writ petition had been filed in the nature of a Certiorarified Mandamus, seeking records relating to an order dated 26.07.2019 and to quash the same and direct the appellants herein to step up the pay of the writ petitioner like those of similarly placed persons. The writ petition was also filed to extend the 6th Pay Commission benefits by rectifying the pay anomaly. The writ petitioner had earlier filed WP(MD)No.758 of 2012, which came up for consideration before a learned Single Judge of this court and by order dated 14.11.2014, a direction had been issued against the appellants to rectify the pay anomaly and to step up the pay of the writ petitioner like that of similarly placed employees. Complaining that the said order had not been implemented and that a contrary order had been passed by the appellants, the writ petition had been filed.



W.A(MD)No.1314 of 2026

3. The learned Single Judge had, while examining the facts, found that the order in WP(MD)No.758 of 2012 had actually been not implemented and there was total non application of mind by the appellants in passing the impugned order dated 26.07.2019 by ignoring the directions issued in WP(MD)No.758 of 2012. In the directions issued in the said writ petition, it had been specifically directed that the pay of the writ petitioner should be stepped up on par with other similarly placed employees. It is seen from the records that though others had been granted Selection Grade, the writ petitioner had not been granted Selection Grade. The only reason advanced was that his performance was found to be unsatisfactory, but no show cause notice had been issued, no charge memo had been issued and no disciplinary proceedings had been initiated. Mere statement that the performance was unsatisfactory cannot be a ground to withhold the benefit which accrues to any employee on satisfactory completion of the period of service requisite to be granted Selection Grade. The impugned order had been set aside by the learned Single Judge on the ground of non application of mind. We find that the said reason given by the learned Single Judge necessarily has to be affirmed. There are no merits in the appeal. The order of the learned Single Judge shall be complied with within a period of twelve weeks from the date of receipt of a copy of this judgment.



W.A(MD)No.1314 of 2026

4. The Writ Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[C.V.K., J.] & [R.S.V., J.]
20.08.2026

Index : Yes / No
Neutral Citation : Yes / No
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W.A(MD)No.1314 of 2026

C.V. KARTHIKEYAN, J.
AND
R.SAKTHIVEL, J.

bala

W.A(MD)No.1314 of 2026

20.08.2026

Page No.5/5