

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE K.VINOD CHANDRAN

THURSDAY, THE 10TH DAY OF SEPTEMBER 2015/19TH BHADRA, 1937

OP.No. 26706 of 2001 (D)

PETITIONER(S):

JALAJA T.G. E. NO.525
FINANCE DEPARTMENT, KAMCO LIMITED, ATHANI

BY ADV. SRI.P.RAMAKRISHNAN

RESPONDENTS:

1. KERALA AGRO MACHINERY CORPORATION LIMITED,
ATHANI, ALUVA, REPRESENTED BY ITS MANAGING DIRECTOR
2. THE MANAGING DIRECTOR, KAMCO LIMITED,ALUVA

R, BY ADV. SRI.E.K.NANDAKUMAR
R, BY ADV. SMT.PRIYA MAHESH
R, BY ADV. SMT.PRIYA MANJOORAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 10-09-2015,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

OP.No. 26706 of 2001 (D)

APPENDIX

PETITIONERS EXHIBITS:

Ext.P1: TRUE COPY OF PROCEEDINGS DATED 27.11.1987 GRANTING SPECIAL PAY TO THE PETITIONER

EXT.P2: TRUE COPY OF THE REPRESENTATION DATED 15.5.1999 FROM THE PETITIONER TO THE 2ND RESPONDENT

EXT.P3: TRUE COPY OF ORDER DT 7.6.2000 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER

RESPONDENTS EXHIBITS: NIL

TRUE COPY

P.A TO JUDGE

jma

K. VINOD CHANDRAN, J

O.P No.26706of 2001

Dated this the 10th day of September, 2015

J U D G M E N T

The petitioner was aggrieved with the pay revision effected in the respondent corporation in the year 1988. The petitioner's contention is that there were two scales applicable prior to the revision; one being Rs.415-725 and the other being Rs.400-710. However, while revising the pay scale, it is submitted that only the lower scale was revised to Rs.440-1205. The petitioner was also said to have been fixed in the said pay scale.

2. The petitioner contended that there was no revision effected to her scale of pay and hence that had to be done. The petitioner also contended that the petitioner had been drawing pay lower to that of her juniors. Admittedly the petitioner's representation was in the year 1997 with respect to the pay revision in the year 1988. The petitioner's contention that the petitioner had been drawing a lesser pay, was specifically dealt

with in Ext.P3 and the same was said to be not a fact. The revision of the scales of pay was as per the terms of a memorandum of settlement between the management and the trade unions as is seen from Ext.P3. Abolition of one pay scale with provision of revision in one particular scale; applicable to two pre-revised scales is an accepted measure.

In any event, the revision of pay having been effected as per the memorandum of settlement between the management and the recognized trade unions and the petitioner having been found to be not at any stage, drawing lesser pay than her junior; in Ext.P3, writ petition would stand dismissed. No costs

Sd/-

(K. VINOD CHANDRAN, JUDGE)

jma

//true copy//

P.A to Judge

K. VINOD CHANDRAN, J

O.P No.26706of 2001

J U D G M E N T

10th day of September, 2015

