

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.5.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.V.MURALIDARAN

Writ Petition No.18419 of 2016

M.Arumugam

... Petitioner

Vs.

1.The Managing Director,
Metropolitan Transport Corporation,
Pallavan House,
Chennai- 600 002.

2.The General Manager,
Metropolitan Transport Corporation,
Pallavan House,
Chennai-600 002.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, directing the respondents to consider the petitioner's representation dated 12.04.2016 and thereby, direct the respondents to pay the enhanced salary, other service and retirement benefits as on 01.09.2013 as per 12th Salary Pay Fixation Settlement Scheme of the respondents corporation immediately.

For Petitioner : Mr. S.Kumaresan

O R D E R

The petitioner has come forward with this writ petition seeking to direct the respondents to consider the petitioner's representation dated 12.04.2016 and thereby direct the respondents to pay the enhanced salary, other service and retirement benefits as on 01.09.2013 as per 12th Salary Pay Fixation Settlement Scheme of the respondents corporation immediately.

2. The petitioner joined as a Conductor in the respondents Transport Corporation. Subsequently, he got promoted as the Checking Inspector and thereafter, worked as Assistant Branch Manager under General Manager, Chrompet Depot and got retired from service on 31.09.2014.

3. According to him, the 12th salary fixation settlement scheme has to be implemented on 01.09.2013. However, the said scheme was implemented in a belated manner giving a retrospective effect from 01.09.2013. Accordingly, the arrears commences from 01.09.2013 to 31.09.2014. As per 12th salary fixation settlement scheme, the petitioner is entitled for 5.5% of enhancement of his salary since 01.09.2013 and all other allowances which is inclusive of arrears of gratuity and surrender leave and other service emoluments. According to the petitioner, he is entitled for Rs.1,60,000/- as arrears of salary as per the revised 12th Salary Pay Fixation Settlement Scheme and other enhanced pensionary benefits. In this regard, he approached the respondents on several occasions and submitted a representation on 12.4.2016. But his representation was not considered. However, persons similarly placed are receiving the benefit of 12th Salary Pay Fixation Settlement Scheme. Hence, the petitioner has come forward to file the present writ petition.

4. Considering the facts and circumstances of the case, the petitioner is permitted to submit one more representation to the respondents by enclosing a copy of this order within a period of one week from the date of receipt of a copy of this order and the second respondent on receipt of the same is directed to consider the same and pass orders in accordance with law within a period of four weeks, thereafter.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Vacation Officer

//True Copy//

Sub Assistant Registrar

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To

1.The Managing Director,
Metropolitan Transport Corporation,
Pallavan House, Chennai- 600 002.

2.The General Manager,
Metropolitan Transport Corporation,
Pallavan House, Chennai-600 002.

+1cc to Mr.S.Kumaresan, Advocate, S.R.No.28735

W.P.No.18419 of 2016

PA (CO)

CA(01/06/2016)

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