



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 22.06.2016
CORAM

THE HONOURABLE MR. JUSTICE T. RAJA

WEB COPY

W.P (MD) .No10981 to 10986 and 10989 and 10990 of 2016

S.SUBRAMANIAN	...PETITIONER in WP (MD) No.10981 of 2016
M.PALANIAPPAN	...PETITIONER in WP (MD) No.10982 of 2016
S.SELVAM	...PETITIONER in WP (MD) No.10983 of 2016
K.SUBRAMANIAN	...PETITIONER in WP (MD) No.10984 of 2016
S.DHANARAJ	...PETITIONER in WP (MD) No.10985 of 2016
R.D.KALIDOSS	...PETITIONER in WP (MD) No.10986 of 2016
S.VENKATAKRISHNAN	...PETITIONER in WP (MD) No.10989 of 2016
M.KATHAPPAN	...PETITIONER in WP (MD) No.10990 of 2016

-VS-

THE TAMIL NADU STATE TRANSPORT
CORPORATION (KUMBAKONAM) LTD.
REPRESENTED BY ITS MANAGING DIRECTOR,
KUMBAKONAM. ...1ST RESPONDENT IN WP (MD) NOS.10981 TO 10986/2016

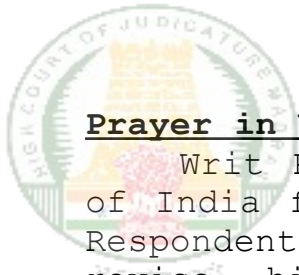
THE TAMIL NADU STATE TRANSPORT
CORPORATION (MADURAI) LTD.
REPRESENTED BY ITS MANAGING DIRECTOR, MADURAI
...1ST RESPONDENT IN WP (MD) NOS.10989 AND 10990/2016

THE GENERAL MANAGER,
THE TAMIL NADU STATE TRANSPORT CORPORATION (KUMBAKONAM) LTD.,
KUMBAKONAM REGION,
KUMBAKONAM ...2ND RESPONDENT IN WP (MD) NOS.10981 & 10986/2016

THE GENERAL MANAGER,
THE TAMIL NADU STATE TRANSPORT CORPORATION (KUMBAKONAM) LTD.,
TRICHY REGION,
TRICHY ...2ND RESPONDENT IN WP (MD) NOS.10982,10983,10984 &10985/2016

THE GENERAL MANAGER,
THE TAMIL NADU STATE TRANSPORT CORPORATION (MADURAI) LTD.,
VIRUDHUNAGAR REGION,
VIRUDHUNAGAR ...2ND RESPONDENT IN WP (MD) NOS.10989
and 10990/2016

THE ADMINISTRATOR
THE TAMIL NADU STATE TRANSPORT CORPORATION
PENSION FUND TRUST, THIRUVALLUVAR HOUSE
PALLAVAN SALAI, CHENNAI - 600 002.
... 3rd RESPONDENTS IN ALL WP's



Prayer in WP(MD) No.10981 of 2016:

Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the Respondents to grant the petitioner 4th review benefits and to revise his pay in the Post of Checking Inspector with retrospective effect from 19.07.2011 in terms of Government order in G.O.Ms.No. 61, Transport (C) Department dated 30.04.2015 and as per settlement dated 22.01.2011 and further directing the Respondents to pay him the difference amount in his salary and to pay difference in his retirement benefits including difference amount in his salary and to pay difference in his retirement benefits including difference amount in monthly pension, gratuity, leave salary, commuted value of pension and all other attendant benefits payable to me from 01/06/2014 to till date together with interest at the rate of 18% per annum.

Prayer in WP(MD) Nos.10982, 10983, 10985, 10990 of 2016:

Writ Petitions are filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to grant the petitioner 4th and 5th review benefits and to revise his pay in the post of Checking Inspector with retrospective effect from 01.09.2010 in terms of Government order in G.O.Ms.No.61, Transport (C) Department dated 30.04.2015 as per settlement dated 22.01.2011 and further directing the respondents to pay him the difference amount in his salary and to pay difference in his retirement benefits including difference amount in monthly Pension, gratuity, leave salary, commuted value of pension and all other attendant benefits payable to him from 01/09/2013, 01/01/2014, 01/04/2015 and 01/08/2011 respectively to till date together with interest at the rate of 18% per annum.

Prayer in WP(MD) No.10984 of 2016:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondent to grant the petitioner 4th and 5th review benefits and to revise his pay in the Post of Driving Instructor with retrospective effect from 01.11.2012 in terms of Government order in G.O.Ms.No. 61, Transport (C) Department dated 30.04.2015 and as per settlement dated 22.01.2011 and further directing the Respondents to pay him the difference amount in his salary and to pay difference in his retirement benefits including difference amount in his monthly pension, gratuity, leave salary, commuted value of Pension and all other attendant benefits payable to him from 01/03/2014 to till date together with interest at the rate of 18% per annum.



Prayer in WP(MD) No.10986 of 2016:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents to grant the petitioner 4th review benefits and to revise his pay in the Post of Checking Inspector with retrospective effect from 19.01.2012 in terms of Government order in G.O.Ms.No.61, Transport (C) Department dated 30.04.2015 and as per settlement dt.22.01.2011 and further directing the Respondents to pay him the difference amount in his salary and to pay difference in his retirement benefits including difference amount in monthly pension, gratuity, leave salary, commuted value of pension and all other attendant benefits payable to him from 01/06/2015 to till date together with interest at the rate of 18% per annum.

Prayer in WP(MD) No.10989 of 2016:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents to grant the petitioner 4th and 5th review benefits and to revise his pay in the Post of Checking Inspector with retrospective effect from 15.08.2011 in terms of Government order in G.O.Ms.No.61, Transport (C) Department dated 30.04.2015 and as per settlement dt.22.01.2011 and further directing the Respondents to pay him the difference amount in his salary and to pay difference in his retirement benefits including difference amount in monthly pension gratuity, leave salary, commuted value of pension and all other attendant benefits payable to him from 01/08/2012 to till date together with interest at the rate of 18% per annum.

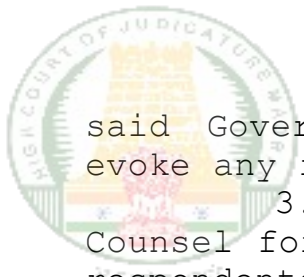
For petitioner : Mr.A.Rahul in all the Petitions

For respondents : Mr.D.Sivaraman, Advocate in
WP(MD)Nos.10981 to 10986/2016
Mr.A.P.Muthupandian, Advocate in
WP(MD)Nos.10989 and 10990/2016

ORDER

All the petitioners were the employees of the Tamil Nadu State Transport Corporation, (Kumbakonam) Ltd, Kumbakonam and retired as Checking Inspectors. Their grievance is that the respondents have not given the 4th and 5th review benefits and pay revision in the light of G.O.Ms.No.61 Transport Department dated 30.04.2015 and Settlement dated 22.01.2011.

2. Learned counsel for the petitioner submitted that though the Management has agreed for revision of pay with retrospective effect except for the post of Managerial and Supervisory Cadre, which has not been followed by them. Further, the respondents have not given the benefit both under the Settlement and as per the Government Order. In this regard, the respondents have given separate representation to the respondents to implement the revision and pay fixation so that the petitioners would be able to receive certain benefits in terms of the afore-



said Government Order. Since the said representations did not evoke any response, the petitioners are before this Court.

3. At this juncture, Mr.D.Sivaraman, learned Standing Counsel for the Transport Corporation, after taking notice for the respondents, submitted that in similar circumstances, this Court, in W.P.(MD).No.4829 of 2016, dated 10.03.2016, has directed the respondents therein to consider the representation of the petitioners therein. Therefore, he submitted that similar directions may be issued to these petitioners also.

4. In view of the above, the first respondent is directed to consider the representations of the petitioners, on merits and in accordance with law, and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Managing Director,
The Tamil Nadu State Transport Corporation,
(Kumbakonam) Ltd, Kumbakonam.
 - 2.The Managing Director,
The Tamil Nadu State Transport Corporation(Madurai) Ltd.
Madurai
 - 3.The General Manager,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd, Kumbakonam Region, Kumbakonam.
 - 4.The General Manager,
The Tamil Nadu State Transport Corporation(kumbakonam)ltd.,
Trichy region,Trichy
 - 5.The General Manager,
The Tamil Nadu State Transport Corporation(Madurai)ltd.,
Virudhunagar region,Virudhunagar
 - 6.The Administrator,
The Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002.
- +8ccs to Mr.A.Rahul, Advocate, SR.Nos.32216, 32228, 32227, 32229,
32230, 32231, 32215 and 32232
- +6ccs to Mr.D.Sivaraman, Advocate, SR.Nos.32295, 32296, 32297,
32298, 32299 and 32300

ssm

RL/21C/4P/SK/SKN/30/6/2016

W.P(MD).Nos.10981 to 10986 and
10989 & 10990 of 2016