



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2016

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) .Nos.12282,12289 and 12315 of 2016

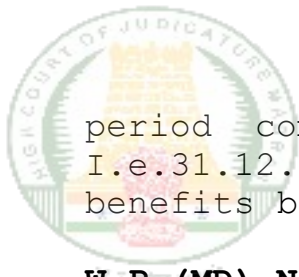
A.Thangam ... Petitioner in W.P.(MD) .No.12282/2016
P.Mohan ... Petitioner in W.P.(MD) .No.12289/2016
K.Ramakrishnan ... Petitioner in W.P.(MD) .No.12315/2016

Vs.

- 1.The Principal Secretary to Government
of Tamil Nadu Transport Department and
Chairman of Transport Corporation,
Fort.St.Geroge, Chennai-600 009.
- 2.The Management of Tamil Nadu State Transport
State Transport Corporation (Madurai) Limited,
rep.by its Managing Director,
Bye-pass Road, Madurai-10.
- 3.The General Manager,
The Tamil Nadu State Transport Corporation
(Madurai) Ltd,
Dindigul Region, Dindigul.
- 4.The Administrator,
The Tamil Nadu State Transport Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai-600 002.

... Respondents in all WPs

W.P. (MD) .No.12282 of 2016: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus 1) directing the respondents to extend the 4th and 5th review benefits to the petitioner based on settlement dated 22.01.2011 entered into under section 12(3) of Industrial Disputes Act and 2) to enhance/revise his salary with effect from 30.09.2010 by issuing revised pay fixation order for his promotion to the posts of Driving Instructor in the 2nd respondent corporation as per <https://hcservices.mca.gov.in/hcservices/> Transport (C) Department Dated 30.04.2015 and 3) consequently directing the respondents to pay the petitioner arrears of difference in salary payable to the petitioner for the



period commencing from 30.09.2010 to his date of retirement I.e.31.12.2012 and also to compute and pay revised pension benefits based on the above settlement.

W.P. (MD) .No.12289 of 2016:- Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the Respondents to grant the Petitioner the 4th and 5th Review Benefits and to revise his pay in the Post of Selection Grade Checking Inspector in terms of Government order in G.O.Ms.No. 61 Transport (C) Department dated 30.04.2015 and in terms of Settlement Under Section 12(3) of the Industrial Disputes Act 1947 dated 13.04.2015 and further directing the Respondents to pay him the difference amount in his salary from 23.7.2011 to 31.8.2015 and to pay difference in his retirement benefits including difference in monthly pension, gratuity, leave salary, commuted value of pension and all other attendant benefits payable to him from 01.09.2015 to till date together with interest at the rate of 18% per annum.

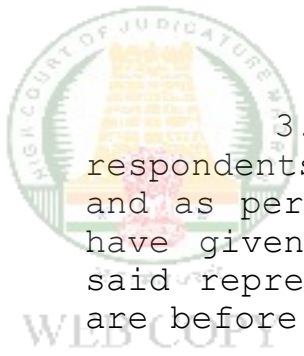
W.P. (MD) .No.12315 of 2015: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the respondent to grant the petitioner the 4th and 5th review Benefits and to revise his pay in the post of Senior Grade Driving Instructor in terms of Government Order in G.O.Ms.No.61 Transport (c) Department dated 30.04.2015 and in terms of Settlement Under Section 12(3) of the Industrial Disputes Act, 1947 dated 13.04.2015 and further directing the respondents to pay him the difference amount in his salary from 04.02.2011 to 30.06.2015 and to pay difference in his retirement benefits including difference in monthly pension, gratuity, leave salary, commuted value of pension and all other attendant benefits payable to him from 01.07.2015 to till date together with interest at the rate of 18% per annum.

For petitioners : Mr.J.Lawrence
For respondents : Mr.A.Jeyaram

COMMON ORDER

Since the issue involved in all the Writ Petitions are one and the same, these matters are taken up together and disposed of, by this common order.

2. All the petitioners were the employees of the Tamil Nadu State Transport Corporation. 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. Therefore, all the petitioners have approached this



3. Learned counsel for the petitioner submitted that the respondents have not given the benefits both under the Settlement and as per the Government Order. In this regard, the petitioners have given separate representation to the respondents. Since the said representations did not evoke any response, the petitioners are before this Court.

4. At this juncture, 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 representations of the petitioners therein. Therefore, he submitted that similar directions may be issued to these petitioners also.

5. 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 six weeks from the date of receipt of a copy of this order. The petitioners are also directed to enclose a copy of this order along with the representation already sent to the first respondent, for further follow up, in this regard.

6. With the above direction, all the Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar

To

- 1.The Principal Secretary to Government
of Tamil Nadu Transport Department and
Chairman of Transport Corporation,
Fort.St.Geroge, Chennai-600 009.
- 2.The Management of Tamil Nadu State Transport
State Transport Corporation (Madurai) Limited,
The Managing Director,
Bye-pass Road, Madurai-10.
- 3.The General Manager,
The Tamil Nadu State Transport Corporation
(Madurai) Ltd,
Dindigul Region, Dindigul.



4.The Administrator,
The Tamil Nadu State Transport Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai-600 002.

+3cc to MR.J.Lawrance, Advocate SR.Nos.36498, 36499, 36500

+1cc to the special Government Pleader SR.No.37253

ssm

sm:KBM:26.07.2016:4P/9C

W.P (MD) .Nos.12282,12289 and 12315 of 2016

14.07.2016