

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.5437 of 2017

V.T.Sundaram ..Petitioner
Vs

1. The Government of Tamilnadu,
rep. By its Principal Secretary to Government,
Transport Department, Fort St.George,
Chennai - 600 009.
2. The Managing Director,
Tamil Nadu State Transport
Corporation (CBE) Ltd.,
37, Mettupalayam Road,
Coimbatore - 641 043. ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the 2nd respondent to implement the Wage Settlement (Clause I) dated 22.01.2011 and rectify the pay anomaly of the petitioner including the revision of pension and other consequential benefits by considering the representation of the petitioner dated 29.06.2016

For Petitioner : Mr.D.Veerasekaran

For Respondents : Mr.K.Dhananjayan,
Special Government Pleader for R1
Mr.P.Kannankumar,
Standing Counsel for Corporation for R2.

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the first respondent and Mr.P.Kannankumar, learned Standing Counsel accepts notice on behalf of the second respondent.

2. The petitioner was appointed in the service of Cheran Transport Corporation on 16.05.1981 and was regularised on 01.08.1982. In pursuant to the amalgamation and merger, it became Tamil Nadu State Transport Corporation and the service of the petitioner got absorbed in that Corporation. The petitioner got his upgradation as Senior Clerk on 01.08.1987 and further upgradation as Assistant on 01.08.1995 and finally, upgraded as Senior Assistant on 01.08.2005 and after completion of 34 years of service, he retired from service on 31.07.2015.

3. The grievance expressed by the petitioner is that pursuant to the tripartite agreement, a settlement came to be reached under Section 12(3) of the Industrial Disputes Act and there was pay anomaly pertaining to pay scale of the petitioner. In this regard, he submitted a representation dated 29.06.2016 to the General Manager, TamilNadu Transport Corporation (Kovai) Ltd., Chennimalai Road, Erode-638001. Since there is no response, he came forward to file this writ petition.

4. Heard the submission of the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the first respondent and the learned Standing Counsel for the Transport Corporation.

5. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner directs the General Manager, TamilNadu Transport Corporation (Kovai) Ltd., Chennimalai Road, Erode-638001, to consider and dispose of the petitioner's representation dated 29.06.2016, on merits and in accordance with law and pass orders within a period of period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

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Sd/
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
Transport Department,
Fort St. George,

<https://hcservices.ecourts.gov.in/hcservices/600009>.

2. The Managing Director,
Tamil Nadu State Transport
Corporation (CBE) Ltd.,
37, Mettupalayam Road,
Coimbatore - 641 043.

3 TamilNadu Transport Corporation (Kovai) Ltd.,
Chennimalai Road, Erode-638001.

+1cc to M/s.P.Kannankumar, Advocate SR.No.14439

+1cc to Mr.Veerasekaran, Advocate SR.No.14136

W.P.No.5437 of 2017

SDR 24.03.2017



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