



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.03.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD).Nos.3228 to 3232 of 2018

P.Veerappan	...Petitioner in W.P. (MD).No.3228 of 2018
R.Karuppiah	...Petitioner in W.P. (MD).No.3229 of 2018
R.Sundaram	...Petitioner in W.P. (MD).No.3230 of 2018
G.Vijayapandian	...Petitioner in W.P. (MD).No.3231 of 2018
V.Rengan	...Petitioner in W.P. (MD).No.3232 of 2018

Vs.

1.The Additional Chief Secretary to Government,
Transport Department and the Chairman
of all State Transport Corporations,
Secretariat, Chennai-600 009.

2.The Managing Director,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
New Railway Station Road, Kumbakonam.

3.The Administrator,
The Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002. ...Respondents in all Petitions

COMMON PRAYER: Writ petitions filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned orders dated 06.03.2017, passed by the second respondent in his reference No. பார்வை : துறை / சட்டம் / ச1 / 153 and quash the same and consequently to direct the respondents to grant 4th and 5th review benefits and pay revisions and pension revisions, in the light of the G.O. (Ms).No.61, Transport (C) Department dated 30.04.2015 and in terms of settlement dated 22.01.2011 entered into under Section 12 (3) of the Industrial Dispute Act.

In all Writ Petitions

For Petitioners	: Mr.C.Thangamani
For R1	: Mr.K.Saravanan Government Advocate
For R2	: Mr.D.Sivaraman
For R3	: Mr.A.P.Muthupandian

COMMON ORDER

Heard Mr.K.Saravanan, learned Government Advocate, appearing for the first respondent, Mr.D.Sivaraman, learned Standing Counsel, appearing for the second respondent and Mr.A.P.Muthupandian, learned counsel, appearing for the third respondent.

2.By consent of both parties, the main Writ Petitions themselves are taken up for final disposal at the stage of admission.

3.The petitioners herein are the retired employees of the respondents/Corporation, details of which are as under:

வ.எண்	பெயர் (தலை)	ப.எண்.	பணி ஓய்வு நாள்	01.09.2010 முதல் ஊதிய உயர்வு	
				அடிப்படை ஊதியம்	தர ஊதியம்
1.	வி.ரெங்கன்	78டிஎஸ்3012	31.01.2012	12,200	4,400
2.	பி.வீரப்பன்	75டிஎஸ்3020	31.07.2013	12,390	4,400
3.	ஆர்.சுந்தரம்	77டிஎஸ்3020	31.05.2013	12,390	4,400
4.	ஆர்.சுருப்பையா	74டிஎஸ்3044	31.12.2010	12,200	4,400
5.	ஜி.விஜய பாண்டியன்	73டிஎஸ்3041	31.12.2010	12,390	4,400

4.It is seen that the petitioners retired between 31.12.2010 and 31.07.2013. After they retired from service, there was a wage settlement entered into between the management and the employees. Pursuant to the wage settlement, G.O.(Ms).No.61, Transport (C) Department, dated 30.04.2015 was issued.

5.A mere look at the said G.O.(Ms).No.61, Transport (C) Department, dated 30.04.2015, would indicate that it came into effect from 01.09.2010. The petitioners retired from service after the said date. Therefore, the said Government Order is clearly applicable to the case of the petitioners also. This has not been taken into account. Accordingly, the orders impugned in the Writ Petitions stand quashed.

6.The respondents are directed to extend the benefits payable under the aforesaid Government Order to the petitioners. It is needless to mention that their pay as well as pension will have to be correspondingly revised. Such orders of revision will be issued within a period of eight weeks from the date of receipt of a copy of this order and the arrears amount will also be disbursed shortly thereafter.



7. With these directions, the Writ Petitions stand allowed. No costs.

Sd/-

Assistant Registrar (CS-II)

WEB COPY

/True Copy/

Sub Assistant Registrar

To

The Additional Chief Secretary to Government,
Transport Department and the Chairman
of all State Transport Corporations,
Secretariat, Chennai-600 009.

+5cc to M/S.C.Thangamani, Advocate SR.No. 54817 to 54821
+5cc to M/S.D.Sivaraman, Advocate SR.No. 54700 to 54703, 54699
+1cc to Special Government Pleader, SR.No. 54923

ORDER MADE IN
W.P. (MD) .Nos.3228 to 3232 of 2018
12.03.2018

tsg

JM/SKN RSK/SAR 4/16.03.2018/3P/13C