



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.09.2018

CORAM :

**THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN**

W.P (MD) No.19621 of 2018

G.Thiagarajan

... Petitioner

**vs.**

1.Tamil Nadu State Transport Corporation,  
(Kumbakonam) Ltd.,  
Rep. By its Managing Director,  
Kumbakonam.

2.The General Manager,  
Tamil Nadu State Transport Corporation,  
(Kumbakonam) Ltd.,  
Karaikudi Region, Karaikudi.

3.The Administrator,  
Tamil Nadu State Transport Corporation,  
Pension Fund Trust, Thiruvalluvar Illam,  
Pallavan Salai, Chennai-2.

... Respondents

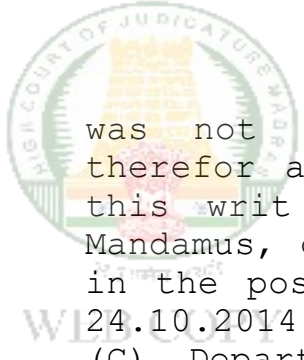
**PRAYER:** Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to revise the petitioner's pay in the post of Checking Inspector with retrospective effect from 24.10.2014 in terms of Government Order in G.O.Ms.No.61, Transport (C) Department dated 30.04.2015 and as per settlements under Section 12(3) of the ID Act dated 13.04.2015 and 04.01.2018 and further directing the respondents to pay him the difference amount in his salary from 24.10.2014 to 31.05.2017 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 together with interest at the rate of 18% per annum.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.D.Sivaraman

**ORDER**

The petitioner was employed as Conductor. He retired from service on 31.05.2017. His grievance is that he is entitled to revision of scale of pay in terms of G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and the settlement entered into under Section 12(3) of the Industrial Disputes Act, 1947. Since his pay



was not revised, he made a representation dated 06.06.2018 therefor and that the same has not been considered. Therefore, this writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to revise the petitioner's pay in the post of Checking Inspector with retrospective effect from 24.10.2014 in terms of Government Order in G.O.Ms.No.61, Transport (C) Department dated 30.04.2015 and as per settlements under Section 12(3) of the Industrial Disputes Act, 1947 dated 13.04.2015 and 04.01.2018 and further directing the respondents to pay him the difference amount in his salary from 24.10.2014 to 31.05.2017 and to pay difference in my retirement benefits including difference in monthly pension, gratuity, leave salary, commuted value of pension and all other attendant benefits together with interest at the rate of 18% per annum.

2.The learned counsel for the respondents submitted that the respondents would dispose of the representation of the petitioner dated 06.06.2018 within a time frame.

3.Recording the above submissions, this Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 06.06.2018, in the light of G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015, if applicable, and as per settlements under Section 12(3) of the Industrial Disputes Act, 1947 dated 13.04.2015 and 04.01.2018, and to pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar

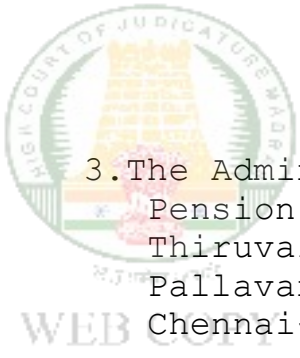
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Sub Assistant Registrar(CS-II)

**To**

1.The Managing Director,  
Tamil Nadu State Transport Corporation,  
(Kumbakonam) Ltd.,  
Kumbakonam.

2.The General Manager,  
Tamil Nadu State Transport Corporation,  
(Kumbakonam) Ltd.,  
Karaikudi Region,  
Karaikudi.



3.The Administrator, Tamil Nadu State Transport Corporation,  
Pension Fund Trust,  
Thiruvalluvar Illam,  
Pallavan Salai,  
Chennai-2.

+ 1 CC TO MR.D.SIVARAMAN, ADVOCATE IN SR NO.83877  
+ 1 CC TO MR.A.RAHUL, ADVOCATE IN SR NO.84165  
TA  
BU/PM/SAR-2 :20.11.2018 : 3P/6C

W.P (MD) No.19621 of 2018  
11.09.2018