

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.28153 of 2019

R.Balakrishnan

... Petitioner

Vs.

- 1.State of Tamil Nadu rep. by its  
Principal Secretary to Government,  
State Transport Department,  
Secretariat,  
Chennai-600 009.
- 2.The Managing Director,  
Tamil Nadu State Transport Corporation,  
(Salem Division),  
Head Office,  
No.12, Ramakrishna Road,  
Salem-7.
- 3.The Collector,  
Salem District,  
Salem.
- 4.The Commissioner,  
Salem Corporation,  
Salem-1.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to extend the benefit of the Government Order in G.O.Ms.No.305, Finance (Pay Cell) Department dated 13.10.2017 to the employees of the Tamil Nadu State Transport Corporation (Salem Division-1), Rasipuram Branch, Rasipuram.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mrs.R.Janaki,  
Additional Government Pleader  
for RR1 to 3.  
Mrs.K.Bhuvaneswari,  
Additional Government Pleader  
for R4.

## O R D E R

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner was working as Technical, Central Depot, F.C.Unit(Salem) in the 2<sup>nd</sup> respondent Transport Corporation. He was also the President of an unregistered Labour Union called "Labour Welfare Protection Trade Union". The 1<sup>st</sup> respondent issued an order in G.O.Ms.No.305, Finance (Pay Cell) Department dated 13.10.2017, thereby revising the rates of "House Rent Allowance" and "City Compensation Allowance" the employees in different pay ranges in the revised pay structure and different grades of Cities and Town. The above G.O. came into force from 01.10.2017. Following the said G.O., the Collector, Salem District issued a notification in the District Gazette on 11.07.2018 that the HRA & CCA will be extended up to 16 Km from Salem Corporation viz., the Villages in Rasipuram Panchayat Union, Rasipuram Municipality, Namagiripettai Panchayat Union, Vennanthur Panchayat Union and Mallaasamudram Panchayat Union. The main grievance of the petitioner is that nearly 600 employees of the 2<sup>nd</sup> respondent Corporation are residing within 16km radius from the Salem Corporation limit and the benefit of the above G.O. is not specifically extended to the employee of the Tamil Nadu Transport Corporation, while the other Government employees are entitled for the same. Therefore, the petitioner gave a representation to the respondents on 02.08.2019, requesting to extend the benefit of the above G.O. to the employees of Tamil Nadu State Transport Corporation also. Since, the same has not been considered, the petitioner has filed the present petition.

3.Heard both sides.

4.The learned counsel for the petitioner would submit that without going into the merits of the case, it would suffice if a direction is issued to respondents 1 and 2 to consider the representation of the petitioner dated 02.08.2019 and pass orders, within the stipulated time as fixed by this Court.

5.The learned Additional Government Pleader appearing for respondents 1 to 3 conceded to the submission made by the learned counsel for the petitioner.

6.Thus, without going into the merits of the case, this Court is inclined to direct the respondents 1 to 3 to consider the representation of the petitioner dated 02.08.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

7.With the above direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

rm

To

- 1.The Principal Secretary to Government,  
State of Tamil Nadu,  
State Transport Department,  
Secretariat,  
Chennai-600 009.
- 2.The Managing Director,  
Tamil Nadu Statu Transport Corporation,  
(Salem Division),  
Head Office,  
No.12, Ramakrishna Road,  
Salem-7.
- 3.The Collector,  
Salem District,  
Salem.
- 4.The Commissioner,  
Salem Corporation,  
Salem-1.

+1cc to Mr.S.Doraisamy, Advocate, S.R.No. 81877  
+2cc to the Government Pleader, S.R.No.82342, 82802

W.P.No.28153 of 2019

NR(CO)  
GN(07/11/2019)

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