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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE. R.MAHADEVAN

W.P. (MD) No.10069 of 2019

S.Arumugam

.. Petitioner

Vs.

1.The General Manager,
Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Tirunelveli - 11.

2.The Managing Director,
Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Tirunelveli - 11.

3.State Transport Corporation Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 2.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus directing the respondents to revise and fix the petitioner's pay by granting the Grade pay at Rs.4,300/- and to pay the arrears of salary on account of the new fixation of pay from 20.3.2013 to 1.7.2016 and by re-fixing the Basic Pay as per the 13th pay settlement dated 4.1.2018 and to pay the arrears of salary on account of the new fixation of Pay from 1.9.2016 to 31.12.2017 and to rectify the pay anomaly and to step up his pay on par with his junior Mr.C.Kumara Pillai (EDP No.2269) with effect from 01.09.2016 with arrears and all other consequential benefits and consequently to revise the petitioner's monthly pension by revising the petitioner's last drawn salary with dearness allowance with arrears of dearness allowance and pension with interest for the belated payment.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.K.Sathiyasingh

ORDER

Seeking a direction to the respondents to revise the petitioner's pay by granting grade pay and basic pay and disburse arrears of salary and other consequential benefits on account of the new fixation and also to rectify the pay anomaly and to step up his pay on par with his junior, the petitioner is before this Court.



2. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents. By consent, the Writ Petition itself is taken up for final disposal at the stage of admission.

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3. The case of the petitioner is that he lastly served as a Traffic Inspector in the respondent Corporation and retired from service on 31.03.2018. According to the petitioner, the pay of the petitioner was not revised by granting the grade pay and fixing basic pay as per 13th settlement dated 04.01.2018. Further, his junior one C. Kumara Pillai is getting more pay than that of the petitioner. Seeking such benefits the petitioner made a representation dated 13.03.2019 to the respondents. Since the same has not been considered by the respondents till date, this writ petition has been filed.

4. The learned Standing Counsel for the respondents, on instructions, submitted that the representation of the petitioner would be considered on merits and appropriate orders be passed.

5. In view of the above submission, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner dated 13.03.2019 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CRL SIDE)

// True Copy //

Sub Assistant Registrar (CS)

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To

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Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Tirunelveli - 11.

2. The Managing Director,
Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Tirunelveli - 11.



3.State Transport Corporation Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 2.

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+1CC TO MR.K.SATHIYA SINGH, Advocate Sr. No.62853

+1CC TO MR.V.KANNAN, Advocate Sr. No.63088

W.P.[MD].No.10069 of 2019
25.04.2019

SCR(CO)

TR (20.05.2019) 3P 6C