



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.9709 of 2019

G.Ramasamy

... Petitioner

vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
TNSTC Head Office,
No.27, Railway Station New Road,
Kumbakonam - 612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
Karaikudi Region,
Matuthupathi, Managiri,
Karaikudi - 630 307.

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the respondents to revise the petitioner's salary by giving pay revision at the rate of 5.5% of basic pay and grade pay difference amount in salary in the post of checking inspector with retrospective effect from 21.01.2012 in terms of U/s 12(3) settlement dated 13.04.2015 and G.O.Ms.No.61 Transport Department, dated 30.04.2015 further directing the respondents to pay him the difference amount in his salary from 03.10.2013 to 31.03.2016 and all other attendant, retirement benefits together with interest at the rate of 18% per annum.

For Petitioner : Mr.SP.Vijay Nivas

For Respondents : Mr.D.Sivaraman

**ORDER**

This writ petition has been filed seeking a direction to the respondents to revise the salary of the petitioner in terms of the settlement entered under Section 12(3) of the Industrial Disputes Act, dated 13.04.2015 and also as per G.O.Ms.No.61, Transport Department, dated 30.04.2015 and pay arrears and other consequential benefits.

2. Heard the learned counsel appearing 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.

3. The learned counsel appearing for the petitioner submitted that the petitioner lastly served as a Special Grade Conductor in the respondent Corporation and as per the settlement entered under Section 12(3) of the Industrial Disputes Act, dated 13.04.2015 and also in the light of G.O.Ms.No.61, Transport Department, dated 30.04.2015, the petitioner is entitled to revised scale of pay. Since his pay was not revised, he made a representation dated 06.04.2019 to the respondents and the same has not been considered so far. Hence, the petitioner is before this Court.

4. The learned Standing Counsel appearing for the respondents 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 Writ Petition is disposed of, directing the respondents to consider the representation of the petitioner dated 06.04.2019 in terms of the settlement entered under Section 12(3) of the Industrial Disputes Act, dated 13.04.2015 and also in the light of G.O.Ms.No.61, Transport Department, dated 30.04.2015 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner. No costs.

Sd/-

Assistant Registrar (Crl. Side)

/TRUE COPY/

Sub Assistant Registrar (CS)

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
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3.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 2.

+1 CC to M/s.SP.VIJAY NIVAS, Advocate (SR-62032[F] dated 24/04/2019)

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-62233[F] dated 24/04/2019)

W.P (MD) No.9709 of 2019
24.04.2019

CS: 17/05/2019/3P/6C