



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :14.10.2020
CORAM
THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**
W.P. (MD) No.14311 of 2020

S.Ramadass

...Petitioner

Vs

1.The Additional Chief Secretary to Government,
Transport Corporation,
Secretariat,
St.Fort George,
Chennai.

2.The Managing Director,
Corporate Office,
Tamilnadu State Transport Corporation,
Bye Pass Road,
Madurai.

3.The General Manager,
Regional Office,
Tamilnadu State Transport Corporation,
Collectorate Post,
Bye Pass Road,
Dindigul.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to set right the anomaly in pay with regard to the petitioner and to fix the pay on par with one R.Prema, who was the junior to the petitioner, and to grant all monetary benefits from 05.08.2014 including the retirement and pensionary benefits and salary arrears, by considering the requests of the petitioner dated 25.03.2015 and 10.02.2020.

For Petitioner : Mr.T.Jeen Joseph
For R1 : Mr.B.Bhagavathy
Government Advocate
For R2 & R3 : Mr.J.Senthil Kumaraiah

ORDER

This Writ Petition is filed to direct the respondents to set right the petitioner's pay anomaly, to fix the pay on par with one R.Prema, who was the junior to the petitioner and to grant all monetary benefits from 05.08.2014 including the retirement and pensionary benefits and salary arrears to the petitioner, by considering the requests of the petitioner dated 25.03.2015 and 10.02.2020.



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

3.According to the petitioner, he was initially appointed as Junior Assistant in the respondent's Department and subsequently, he was promoted to the post of Superintendent and thereafter posted as Selection Grade Superintendent. He also retired from service on 30.04.2018 on attaining the age of superannuation.

4.The grievance of the petitioner is that he was promoted as Superintendent on 12.08.2013 and while fixing his basic pay at Rs.13,265 + 4,900 (Grade Pay), the respondents have fixed the basis pay of his junior, R.Prema, who was appointed subsequent to the petitioner's appointment at Rs.15,205 + 4900GP on 05.08.2014. On the date of petitioner's retirement ie., on 30.04.2018, his basic pay was fixed at Rs.52,500/-, whereas, for the said Prema, a sum of Rs.57,400/- was fixed as basis pay. In this regard, though the petitioner has made representation dated 10.02.2020 before the respondents, so far no action has been taken. Hence, the present writ petition.

5.Mr.J.Senthil Kumaraiah, learned counsel appearing for the respondents 2 and 3 would submit that the petitioner's representation dated 10.02.2020 will be disposed of on merits and in accordance with law, within a period of four weeks.

6.In view of the submissions made by the learned counsel on either side and considering the facts and circumstances of the case, this Court is inclined to pass the following direction:-

the 2nd respondent is directed to consider the petitioner's representation dated 10.02.2020, to pass appropriate orders on merits and in accordance with law and to sort out the pay anomaly between the petitioner and the said Prema, within a period of four weeks from the date of receipt of a copy of this order;

7.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

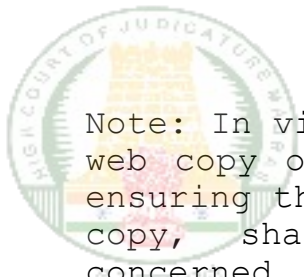
Assistant Registrar (CSII)

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Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To

1.The Additional Chief Secretary to Government,
Transport Corporation,
Secretariat,
St.Fort George,
Chennai.

2.The Managing Director,
Corporate Office,
Tamilnadu State Transport Corporation,
Bye Pass Road,
Madurai.

+1 CC to M/s.SPL GP (SR-20210[F] dated 15/10/2020)

W.P.(MD) No.14311 of 2020
14.10.2020

SSS(CO)
KB(03.11.2020) 3P 4C