



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. No.13207 of 2021

M.Mani

.. Petitioner

Versus

1.The State Transport Corporation,
Rep. by its Managing Director,
No.2, Pallavan Salai,
Chennai - 600 002.

2.The Tamil Nadu State Transport Corporation,
Rep. by its Administrator,
No.2 Pallavan Salai,
Chennai - 600 002.

.. 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 and fix the scale of pay of the petitioner in the light of the orders of the Government issued in G.O.(Ms.)No.146 Transport (C) Department dated 30.11.2015 and consequently revise the pension from 01.01.2008 and pay the arrears of salary from 01.01.2008 to 30.09.2008 and arrears of pension from 01.04.2015 to the petitioner by considering the representation of the petitioner dated 03.05.2021.

For Petitioner : Mr.D.Soundar Raj

For Respondents : Mr.K.Kathiresan
Standing Counsel

O R D E R

By consent of both sides, this writ petition is taken up for final disposal.

2.This Writ Petition has been filed for issuance of a Writ of Mandamus directing the respondents to revise and fix the scale of pay of the petitioner in the light of the orders of the Government issued in G.O.(Ms.)No.146 Transport (C) Department dated 30.11.2015 and consequently revise the pension from 01.01.2008 and pay the arrears of salary from 01.01.2008 to 30.09.2008 and arrears of pension from 01.04.2015 to the petitioner by considering the representation of the petitioner dated 03.05.2021.



3.The petitioner was appointed as Cashier in Government Transport Department. Further he was promoted as Senior Assistant and then Selection Grade Assistant. He was also promoted as Superintendent and retired after serving for a period of 32 years on attaining the age of superannuation on 30.09.2009. The petitioner sought for revised scale of pay for pension from 01.01.2008 on par with Government servants based on the recommendation of the Fifth Pay Commission. The petitioner made several representations to the 1st and 2nd respondents to revise his pension by fixing the scale of pay as per directions issued in G.O.(Ms.)No.146 Transport (C) Department dated 30.11.2015. The learned counsel appearing on behalf of the petitioner states that the 1st respondent, though has recommended, the petitioner has not been given the benefit of Government orders. Hence, the petitioner made a representation to the 1st and 2nd respondents on 03.05.2021.

4.The learned counsel appearing for the petitioner states that the petitioner will be satisfied if a direction is issued to the first respondent to consider the petitioner's representation dated 03.05.2021.

5.Considering the limited scope of the prayer which is sought for in this Writ Petition, without expressing any opinion on the merits of the petitioner's representation, this writ petition is disposed of with a direction to the first respondent to consider the representation of the petitioner dated 03.05.2021 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

Ssr

To

1.The Managing Director,
The State Transport Corporation,
No.2, Pallavan Salai,
Chennai - 600 002.

2.The Administrator,
The Tamil Nadu State Transport Corporation,
No.2 Pallavan Salai, Chennai - 600 002.

+1cc to Mr.D.Soundarraaj, Advocate, S.R.No. 29278

+1cc to Mr.K.Kathiresan, Advocate, S.R.No. 29230

W.P. No.13207 of 2021

SN(CO)
GN(20/07/2021)