



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.06.2021

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9017 of 2021

K.Karuthapandi

... Petitioner

vs.

1)The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Karaikudi Region,
27, New Railway Station Road,
Kumbakonam.

2)The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Maruthupathi. Karaikudi,
Sivagangai.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 2nd respondent to fix the correct basic pay to the petitioner based on his date of appointment after considering the petitioner's representation dated 02.10.2020 within the time that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.G.M.Xavier

For Respondents : Mr.P.Balasubramanian
Standing Counsel

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.This writ petition has been filed for issuance of a Writ of Mandamus, directing the 2nd respondent to fix the correct basic pay to the petitioner based on his date of appointment after considering the petitioner's representation dated 02.10.2020 within the time that may be stipulated by this Court.

3.The learned counsel for the petitioner would state that the petitioner joined the services of the 1st respondent corporation as a driver from 22.08.2007 and he was confirmed as driver with effect from 01.06.2008. On the allegation that the petitioner used



unparliamentary words against the driving instructor Mr R. Annasamy, the petitioner was imposed with the punishment of increment cut for one year with cumulative effect. According to the petitioner, he is the General Secretary of TNSSTC Thozhilalar Pothunala Amaippu Sangam and because of the trade union activities, the respondent management victimised him by way of imposing punishment one after another. Against the punishment orders of the 2nd respondent, he raised disputes under Sections 2k, 25T and 25U of the Industrial Disputes Act, 1947. It is further stated that while similarly placed person was receiving Rs.29,100/- as basic pay, the petitioner received Rs.22,900/- as basic pay. Therefore, he made several representations in this regard and the last of which is dated 02.10.2020. Since there was no response, this writ petition has been filed.

4. The learned standing counsel for the respondent corporation would state that the respondents will consider and pass orders on the petitioner's representation dated 02.10.2020 within a time frame to be fixed by this Court.

5. Heard the learned counsel for the petitioner as well as the learned standing counsel for the respondents.

6. Considering the submissions made by the learned counsel for the petitioner as well as the respondents and without adverting to the merits of the case, the respondents are directed to consider the representation of the petitioner dated 02.10.2020 and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

bala/ias

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.



To

1)The Managing Director,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
27, New Railway Station Road,
Kumbakonam.

2)The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Maruthupathi. Karaikudi,
Sivagangai.

+1 CC to M/s.G.M.XAVIER, Advocate (SR-18636[F] dated 02/06/2021)

ORDER MADE IN
W.P (MD) No. 9017 of 2021
DATED : 02.06.2021

_CN(16.06.2021) 3P 4C