



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:24.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.7123 of 2016

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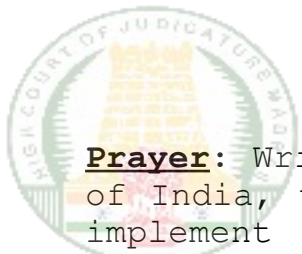
- 1.A.K.Thangavelu
- 2.N.Arunachalam
- 3.S.Murugavel
- 4.K.Kathamuthu
- 5.K.Abdul Nazer
- 6.M.Nallathambi
- 7.P.Rajendran
- 8.P.Selvakumar
- 9.T.Thanapackiam
- 10.S.Balakrishnan
- 11.P.Karnan
- 12.T.R.Ragunath
- 13.C.Sethuramalingam
- 14.K.Muniandi
- 15.G.Chellachamy

... Petitioners

Vs.

- 1.The State of Tamil Nadu
represented by its Secretary to Government,
Transport Department and
Chairman of Board of Director of State
Transport Undertaking,
Fort St. George, Chennai 600 009.
- 2.Tamil Nadu State Transport Corporation
(Madurai) Limited,
represented by its Managing Director,
Bye Pass Road, Madurai 625 010.
- 3.The General Management,
Tamil Nadu State Transport Corporation
(Madurai) Limited, Madurai Region,
Madurai 625 010.
- 4.The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvallur House, Pallavan Salai,
Chennai 600 002.

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to implement the G.O.(Ms).No.146, dated 30.11.2015, by re-designating the petitioners as Selection Grade Superintendents with effect from 01.01.2008 so as to enable them to receive pay scale of Rs.7500-250-12500 as per Vth Pay Commission recommendations and to get the revised scale of pay (as per 6th Pay Commission) of Rs.9300-34800+ Grade pay Rs.4900 with effect from 17.06.2009 and further to revise and re-fix the retirement benefits of the petitioners in terms of the above G.O. and to pay arrears of pension and other attendant benefits with effect from 01.04.2015.

For Petitioner : Mr.A.Rahul
For R1 : Mr.M.Muthugeethayan
Special Government Pleader
For R2 to R4 : Mr.J.Senthil Kumaraiah
Standing counsel

O R D E R

This writ petition has been filed for a direction to the respondents to implement the G.O.(Ms).No.146, dated 30.11.2015, by re-designating the petitioners as Selection Grade Superintendents with effect from 01.01.2008, so as to enable them to receive pay scale of Rs. 7500-250-12500 as per Vth Pay Commission recommendations and to get the revised scale of pay (as per 6th Pay Commission) of Rs. 9300-34800 + Grade pay Rs.4900 with effect from 17.06.2009 and to revise and re-fix the retirement benefits of the petitioners, in terms of the above said G.O. and to pay arrears of pension and other attendant benefits with effect from 01.04.2015.

2. The case of the petitioners is that originally, they were appointed as Clerk in the second respondent Corporation on various dates between the years 1980 and 1984. After periodical promotion, the petitioners reached the level of Superintendent on various dates and attained the age of superannuation on various dates and subsequently, they were allowed to retire from service. It is the further case of the petitioners that as per G.O.(Ms.)No.146, Transport (C) Department, dated 30.11.2015, the Government of Tamil Nadu has revised the scale of pay of the Superintendent of State Transport Undertakings on par with the scale of pay applicable to the Government Servants as per VIth pay Commission Recommendations. But, till date the above said G.O., was not implemented by the second respondent Corporation. Hence, the petitioners have made representations dated 16.03.2016, 19.03.2016, 20.03.2016, 21.03.2016, 22.03.2016 and 25.03.2016 respectively to the respondents. However, so far no order has been passed. Hence, the present writ petition has been filed.



3. The learned counsel appearing for the petitioners would submit that this Court may issue a direction to the second respondent to consider the petitioners' representations dated 16.03.2016, 19.03.2016, 20.03.2016, 21.03.2016, 22.03.2016 and 25.03.2016 respectively, in accordance with law.

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4. The learned Standing Counsel appearing for the respondents 2 to 4 has no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioners, this Court, without going into the merits of the matter, directs the second respondent to consider the petitioners' representations, dated 16.03.2016, 19.03.2016, 20.03.2016, 21.03.2016, 22.03.2016 and 25.03.2016 respectively and pass appropriate 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.

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

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

akv

To

1. The Secretary to Government,
State of Tamil Nadu,
Transport Department and
Chairman of Board of Director of State
Transport Undertaking,
Fort St. George,
Chennai 600 009.

2. The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Bye Pass Road,
Madurai 625 010.

3. The General Management,
Tamil Nadu State Transport Corporation
(Madurai) Limited, Madurai Region,
Madurai 625 010.



4.The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvallur House,
Pallavan Salai,
Chennai 600 002.

+1 CC to M/s.SPL GP (SR-13560[F] dated 25/03/2021)

+1 CC to M/s.A.RAHUL, Advocate (SR-13782[F] dated 25/03/2021)

W.P. (MD)No.7123 of 2016

24.03.2021

TP(CO)

TR(09.04.2021) 4P 7C