



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P. (MD)No.7935 of 2016

1. K.Janarthanan
2. B.V.S.Mani
3. D.Senguttuvan
4. A.V.Muruganatham
5. S.Ramalakshmi

... Petitioners

versus

1. State of Tamil Nadu,
Rep. 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) Ltd.,
Rep. by its Managing Director,
Bye Pass Road,
Madurai - 625 010.
3. The General Manager,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
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

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondents to implement 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 V Pay Commissioner 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 pay arrears and other attendant benefits with effect from 01.04.2015.



For Petitioners : Mr.Ajoy Kose for Mr.A.Rahul
For Respondents : Mr.K.P.Narayanakumar
Special Government Pleader for R1
Mr.J.Senthil Kumaraiah
Standing Counsel for R2 to R4

WEB COPY

ORDER

The writ petition has been filed for the issuance of Writ of Mandamus, to direct the respondents to implement 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 V Pay Commissioner 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 pay arrears and other attendant benefits with effect from 01.04.2015.

2. The case of the petitioners is that they were originally appointed as Junior Assistant (Trainee) in the 2nd respondent Corporation on various dates between the years 1980 and 1984. At the time of appointment, they have undergraduate degree as basic qualification. Hence, their services were designated as Junior Assistant from the date of their initial entry. After rendering 30 years of unblemished service, they were promoted as Superintendent in the cadre of Senior Assistant and Selection Grade Assistant. At the time of bifurcation of all three Transport Corporation, the Junior most in the administrative cadre alone were transferred to the newly bifurcated Corporation by retaining the Senior Administrative staff at the parent Corporation of Madurai. While so, G.O.Ms.No.146, Transport (C) Department, dated 30.11.2015, was issued by the Government of Tamil Nadu, revising the scale of pay of the Superintendents of State Transport Undertakings on par with the scale of pay applicable to Government servants as per V Pay Commission recommendation. Hence, the petitioners made representations on various dates, requesting to revise their scale of pay as per G.O.Ms.No.146, dated 30.11.2015. However, till date, no order was passed on the said representations. Hence, the present writ petition has been filed.

3. The learned counsel appearing for the petitioners seeks permission of this Court to withdraw the writ petition insofar as the first petitioner is concerned. He has also made an endorsement to that effect.

4. Recording the said submission, the writ petition is dismissed as withdrawn insofar as the first petitioner is concerned.

5. Insofar as other petitioners are concerned, the learned counsel for the petitioners submitted that it would suffice, if the

<https://hcservices.mca.gov.in/hcservices/>

representations.

6. In view of the limited prayer now sought, this Court directs the respondents to consider the petitioners' representations dated 17.03.2016, 30.03.2016, 22.03.2016 and 23.03.2016 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.

7. With the above direction, the writ petition is disposed of insofar as the petitioners 2 to 5 are concerned. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1. The Secretary to Government
Transport Department and
Chairman of Board of Director of
State Transport Undertaking,
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2. The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Bye Pass Road, Madurai - 625 010.
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4. The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvallur House,
Pallavan Salai, Chennai - 600 002.

+1 CC to M/s.A.RAHUL, Advocate (SR-14587[F] dated 30/03/2021)

+1 CC to M/s.SPL GP (SR-14813[F] dated 31/03/2021)

+1 CC to M/s.J.SENTHIL KUMARIAH, Advocate (SR-14875[F] dated 31/03/2021)

W.P. (MD)No.7935 of 2016
30.03.2021

KUN (CO)