



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:05.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. (MD)No.19068 of 2017

1.K.Pachamuthu

2.A.Xavier

... Petitioners

Vs.

1.The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Rep by its Managing Director,
Kumbakonam.

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

3.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, Transport (C) Department, dated 30.11.2015 in so far as the petitioners are concerned by re-designating them as Selection Grade Superintendents with effect from 01.01.2008 so as to enable them to receive pay scale of Rs.7,500-250-12500 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.4,900/- with effect from 17.06.2009 and further to revise and re-fix the last drawn salary of the petitioners and also to re-fix the retirement benefits of the petitioners in terms of the above G.O and to pay arrears of pension and other attendant retrial benefits with effect from 01.04.2015.

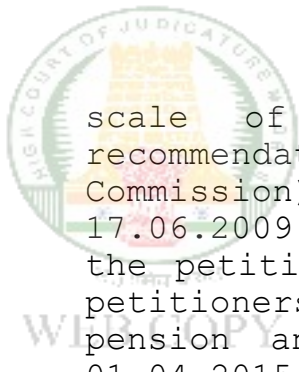
For Petitioners : Mr.A.Rahul

For Respondents : Mr.D.Sivaraman

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, Transport (C) Department, dated 30.11.2015, in so far as the petitioners are concerned by re-designating them as Selection Grade Superintendents with effect from 01.01.2008 so as to enable them to receive pay



scale of Rs.7,500-250-12500 as per V-th Pay Commission recommendations and to get the revised scale of pay (as per 6th pay Commission) of Rs.9300-34800 + Grade pay Rs.4,900/- with effect from 17.06.2009 and further to revise and re-fix the last drawn salary of the petitioners and also to re-fix the retirement benefits of the petitioners, in terms of the above G.O and to pay the arrears of pension and other attendant retrial benefits with effect from 01.04.2015.

2.The case of the petitioner is that they were originally appointed as Junior Assistants in the first respondent Corporation in the year 1979. After periodical promotion, the petitioners reached the level of Superintendents in the year 2006 and then Senior Superintendents in the year 2012. Further, the petitioners have averred that as per G.Os.No.146, Transport (C) Department, dated 30.11.2015, the Government has revised the scale of pay of the Superintendents of State Transport Undertakings on par with the scale of pay applicable to the Government Servants as per Vth pay Commission Recommendations. Therefore, the pay scale of the petitioners shall be notionally fixed with effect from 01.01.2008. In order to avail such benefits, the petitioners made a representation to the 28.03.2017 to the respondents. So far no order has been passed. Hence, the present writ petition is filed.

3.The learned counsel appearing for the petitioners would submit that this Court may issue a direction to the first respondent to consider the petitioners' representation dated 28.03.2017 in accordance with law.

4.The learned Standing Counsel appearing for the respondents would submit that he has no serious objection for considering the petitioners' representation.

5.Considering the facts and circumstances of the case, this Court directs the first respondent to consider the petitioners' representation dated 28.03.2017 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, if not disposed of already.

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

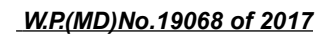
Sd/-

Assistant Registrar (CS-I)

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Sub Assistant Registrar(CS)



To

- +1 CC to Mr.A.RAHUL, Advocate (SR-9318[F] dated 05/03/2021)
- +1 CC to Mr.D.SIVARAMAN, Advocate (SR-9441[F] dated 08/03/2021)

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