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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2022

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.6898 of 2022

N.Anbumoorthy

... Petitioner

Vs.

1.The Additional Chief Secretary to Government,
Transport Department, Namakkal Kavignar Maaligai,
Fort St.George,
Chennai-9.

2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Erode Region, Chennimalai Road,
Erode-638 001.

... Respondents

PRAYER: This Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents to pay arrears for the period from September 2007 to May 2018 as per the representation dated 30.09.2021 and also pay the interest at the rate of 12% per annum, within a specified time as may be fixed by this Court.

For Petitioner : Mr.N.Senthilkumar
For R1 : Mrs.S.Anitha,
Special Government Pleader

For R2 : Mr.A.Sundaravadanam

O R D E R

The relief sought for in the present writ petition is to direct the respondents to pay arrears for the period from September 2007 to May 2018 as per the representation dated 30.09.2021 and also pay the interest at the rate of 12% per annum.

2.Brief facts of the case:

On 13.02.1985, the petitioner was appointed as Accounts Trainee in the Tamil Nadu State Transport Construction Limited



(TNSTC) and later he was promoted as Assistant and he had rendered about 13 years of service. While so, TNSTC had introduced re-deployment scheme and their employees had been observed to other public sectors and the petitioner also redeployed in the TNSTC, Kumbakonam Division - IV, Pudukottai Region, as Junior Assistant from 04.11.1997 and then he was transferred to TNSTC, Coimbatore Division - II, Egmore region on 06.05.1999. After completion of about 22 years of service, he retired from service on 31.05.2019 on reaching the age of superannuation. As per the communication letter dated 22.09.1998, vide Government letter No.20972/Cil/97-3, the Managing Director of Tamil Nadu State Transport Corporation, Kumbakonam, had revised all the employees to fix pay protection except the petitioner herein since he was transferred to TNSTC Coimbatore Division, Erode Region. Hence, the petitioner has made several representations to the respondents, even though his arrears amount, was not settled till date. Hence, the writ petition.

3.The learned counsel for the petitioner submitted that the except the writ petitioner all the employees, who were observed into TNSTC, Kumbakonam, were paid arrears amount, since he was transferred to TNSTC, Coimbatore Division. In this regard, on 30.09.2021, the petitioner has made a representation to the second respondent and accordingly, the arrears amount has been worked out and revised the petitioner pay but the same has not been paid till date.

4.The learned counsel for the respondents would submit that the petitioner's representation dated 30.09.2021 will be considered by the respondents and orders will be passed in accordance with law.

5.Heard the learned counsel on either side and perused the materials placed on record.

6.In view of the above, by considering the limited scope of this writ petition, without expressing any opinion on merits of the case, this Court directs the second respondent to consider the petitioner's representation dated 30.09.2021 and to pass appropriate orders in accordance with law as expeditiously as possible within a period of twelve weeks from the date of receipt of a copy of this order.



7. With the above direction, this writ petition stands disposed of. No costs.

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SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

1. The Additional Chief Secretary to Government,
Transport Department, Namakkal Kavignar Maaligai,
Fort St. George, Chennai-9.

2. The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Erode Region, Chennimalai Road,
Erode-638 001.

+1cc to the Government Pleader Sr.21339

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