



W.P.No.2000 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

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The Transport Corporation Graduate Engineer's
Federation Tamil Nadu, Registration No.484/2018,
Rep. by its General Secretary R.Balaji,
No.30, 2nd Street, Ramakrishna Nagar,
Chitlapakkam,
Chennai - 64

...Petitioner

-Vs-

- 1.The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Transport Department,
Fort St. George,
Chennai - 9.
- 2.The Government of Tamil Nadu,
Rep. by its Secretary,
Finance Department (Pay Cell),
Fort St. George,
Chennai - 9.
- 3.The Metropolitan Transport Corporation (Chennai) Limited,
Rep. by its Managing Director,
Pallavan House,
Anna Salai, Chennai - 2.



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4.The Tamil Nadu State Transport Corporation (Salem) Ltd.,
Rep. by its Managing Director,
No.12, Ramakrishna Road,
Salem - 636 007.

5.The Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
Rep. by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore - 43

6.The Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Rep. by its Managing Director,
Post Box No.56, Valuthareddy Post,
Villupuram - 636 602

7.The Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Rep. by its Managing Director,
Bypass Road,
Madurai - 625 010.

8.The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Rep. by its Managing Director,
No.19, Tiruvanathapuram Road,
Vanarapatti,
Tirunelveli - 627 003.

9.The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Rep. by its Managing Director,
New Railway Station Road,
Kumbakonam - 612 001.

10.The State Express Transport Corporation (Chennai) Limited,
Thiruvallur House,
Pallavan Salai,
Chennai - 2.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to revise and refix the grade pay payable to the members of the petitioner Association from INR 4,600/- to INR 5,100/- by implementing the revised grade pay issued in pursuant to the sixth pay commission as per G.O. Ms.No.142 (Transport Department) dated 21.08.2008 with effect from 01.01.2007 on par with the grade pay made available to the Assistant Engineers working in other Departments of the State of Tamil Nadu.

For Petitioner	: Mr.Kandhan Duraisami
For Respondent 1	: Mrs.M.Jayanthi, Additional Government Pleader
For Respondent 3	: Mr.C.Gauthamaraj, Standing Counsel
For Respondents 4 & 8	: Mr.R.Babu, Standing Counsel
For Respondent 6	: Mr.M.Ashwin, Standing Counsel
For Respondent 10	: Mr.L.S.M.Hasan Fizal, Additional Government Pleader

ORDER

This writ petition has been filed seeking a Writ of Mandamus directing the respondents to revise and refix the grade pay payable to the members of the petitioner Association from INR 4,600/- to INR 5,100/- by implementing the revised grade pay issued in pursuant to the sixth pay commission as per



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G.O. Ms.No.142 (Transport Department) dated 21.08.2008 with effect from 01.01.2007 on par with the grade pay made available to the Assistant Engineers working in other Departments of the State of Tamil Nadu in the interest of justice.

2. Heard learned counsel for the petitioner, learned counsels appearing for the respondents and perused the records.

3. During the course of hearing, the learned counsel for the petitioner placed a copy of G.O.Ms.No.26, Finance (BPE) Department dated 19.01.2021 and submitted that the relief sought for in this writ petition by the petitioner is already granted by the State Government, as per the terms and conditions of G.O.Ms.No.26, Finance (BPE) Department dated 19.01.2021.

The paragraph 5 of the said G.O. is extracted herein under:

"5.Accordingly, as a part of bringing out parity and standardization in the pay scales available to the employees of State Public Sector Undertakings vis-a-vis Government employees, the Government now direct that the orders issued in the Government orders 7th read above be extended to the employees serving in State Public Sector



Undertakings/Statutory Boards for adoption and the Chief Executive Officers of all State Public Sector Undertakings and Statutory Boards shall be requested to ensure -

(a) certain aspects viz., (i) similarly in designation/nomenclature of the post in Government Department vis-a-vis Public Sector Undertaking / Statutory Board (ii) similarity in Duties and responsibilities of the post in Government Department vis-a-vis Public Sector Undertaking /Statutory Board (iii) Scale of pay and Grade pay adopted by State Public Sector Undertakings/Statutory Boards in respect of such categories (iv) the wage/salary of workers/employees in State Public Sector Undertakings/Statutory Boards shall not stretch or exceed beyond the Pay+ Grade pay of the similarly placed Government employees under any circumstances as of now and in future revisions and the same needs to be checked thoroughly before implementing the revision of scale of pay with the approval of the Board of Directors of the respective Organization;

(b) that the pay of the Engineers and other employees serving in State Public Sector Undertakings and Statutory Boards are regulated in line with the orders issued in Government orders 7th read above wherever the pay of such employees have been revised earlier as per the orders issued in Government order second read above."



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5. Having heard the submissions of the respective counsels, in my considered opinion, in the light of the issuance of G.O.Ms.No.26, Finance (BPE) Department, dated 19.01.2021 by the State Government, no further orders are required in the present writ petition. A copy of the G.O.Ms.No.26 Finance (BPE) Department dated 19.01.2021 is placed on record.

6. With the above observations, this writ petition is disposed of.

7. No costs.

8. Consequently, connected writ miscellaneous petition is closed, if any.

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Index: Yes/No

Speaking order/Non Speaking order

Neutral Citation: Yes/No



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To

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BATTU DEVANAND, J.

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