



W.P.(MD).No.26755 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.26755 of 2023

G.Saravanan

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
New Railway Station Road,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
Regional Office,
Pudukkottai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to re-fix the pay of petitioner by adopting 2.57 multiplier/matrix on par with 7th revision from the date of promotion with subsequent increments and to revise the salary and disburse the difference amount within the time stipulated by this Court.



W.P.(MD).No.26755 of 2023

WEB COPY

For Petitioner : Mr.K.Gokul
For Respondents : Mr.K.Jagadeesh Balan,
Standing Counsel

ORDER

The present Writ Petition has been filed by the Superintendent working in the respondent Transport Corporation seeking a mandamus directing the respondents to re-fix the pay of petitioner by adopting 2.57 multiplier/matrix on par with 7th Pay Commission from the date of promotion with subsequent increments and to revise the salary and disburse the difference amount.

2. According to the learned counsel appearing for the petitioner, the cadre of Superintendent being Supervisory and Managerial cadre is not covered by the settlement under Section 12(3) of the Industrial Dispute Act, entered into between the Trade Union and the Management. However, he is covered by the Tamil Nadu Revised Pay Rules, 2017. As per the said Revised Pay Rules, 2017, he is eligible and entitled to re-fixation of pay by adopting different multipliers/matrix as per 7th Pay Commission. However, presently the benefits are being conferred upon the writ petitioner only to the effect by



W.P.(MD).No.26755 of 2023

2.44 factor.

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3. The learned counsel appearing for the writ petitioner relied upon the judgement of the learned Single Judge of this Court, dated 20.06.2023 in ***W.P(MD) No.3609 of 2020 (S.Sampath Vs. the Additional Chief Secretary to Government and two others)*** wherein, this Court was pleased to accept a similar contention and has allowed the writ petition.

4. A perusal of the order of the learned Single Judge of this Court indicates that the petitioner is similarly placed person and therefore, the writ petition stands allowed. Accordingly, the second respondent is directed to confer the benefits upon the writ petitioner and pass orders within a period of twelve weeks from the date of receipt of a copy of this order.

5. with the above said observations, this Writ Petition stands allowed.
There shall be no order as to costs.

08.11.2023

NCC : Yes/No
Index : Yes / No

3/6



W.P.(MD).No.26755 of 2023

Internet : Yes / No
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W.P.(MD).No.26755 of 2023

R.VIJAYAKUMAR,J.

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W.P(MD)No.26755 of 2023

08.11.2023



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W.P.(MD).No.26755 of 2023