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W.P.No.10634 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.10634 of 2021

Tamil Nadu Arasu Pokkuvarathu
Kazhaga Ooivupettra Poriyalargal
Mattrum Kanganippalargal Nala Sangam,
Rep by Mr.R.Mohan, General Secretary,
61, Pallavan Nagar,
1st Cross Street, 1st Main Road,
Thiruverkadu, Chennai 600 077.

... Petitioner

Vs.

- 1.The Secretary,
Tamil Nadu Government,
Transport Department,
Secretariat, Chennai 600 009.
- 2.The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
Pallavan House, Chennai 600 002.
- 3.The Managing Director,
State Express Transport Corporation (TN) Ltd.,
Thiruvalluvar House, No.2 Pallavan Salai,
Chennai 600 002.
- 4.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
No.3/137, Salamedu, Valudhareddy Post, Villupuram 605 602.



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5.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
27, Railway Station New Road,
Kumbakonam 612 001.

6.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
No.12, Ramakrishna Road,
Salem 636 007.

7.The Managing Director,
Tamil Nadu State Transport Corporation (Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore 641 043.

8.The Managing Director,
Tamil Nadu State Transport Corporation (MDU) Ltd.,
Bye Pass Road,
Madurai 625 010.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to issue the difference of Leave salary amount to the State Transport Retired Technical Supervisory / Administrative Supervisory and Officers Cadre those who retired from 01.01.2016 to 31.03.2018, as per G.O.Ms.No.313/ Finance (Pay Cell) Department, dated 25.10.2017.

For Petitioner : Mr.S.T.Varadarajalu

For Respondents : Mr.T.Chezhiyan, AGP for R1
Mr.C.Gauthamaraj, SC for R2 & R8
Mr.R.Babu for R6
No appearance for R3 to R5, R7



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ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus, to direct the respondents to issue the difference of Leave salary amount to the State Transport Retired Technical Supervisory / Administrative Supervisory and Officers Cadre those who retired from 01.01.2016 to 31.03.2018, as per G.O.Ms.No.313/ Finance (Pay Cell) Department, dated 25.10.2017.

2. Heard Mr.S.T.Varadarajalu, learned counsel for the petitioner, Mr.T.Chezhiyan, learned Additional Government Pleader for the 1st respondent, Mr.R.Babu, learned counsel for the 6th respondent and Mr.C.Gauthamaraj, learned Standing Counsel for the respondents 2 and 8.

3. The petitioner Union is a registered one and its members are the retired employees who belonged to technical and Supervisory groups of Transport Corporation. The employees and technical supervisory staffs who were in service on and after 01.01.2016 have been given with pay



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revision as per the 7th pay commission recommendation which had culminated into G.O.Ms.No.303 dated 11.10.2017 and they have been given with monetary benefit with effect from 01.10.2017 and with notional effect from 01.01.2016. Another Government Order in G.O.Ms.No.313 dated 25.10.2017 has also been issued for revising pension, family pension or retirement benefits of the retired Government Servants. With the same fashion, G.O.Ms.No.333 dated 09.11.2017 has been issued by directing all the Chief Executives of the statutory bodies to adopt G.O.Ms.No.313 dated 25.10.2017 and implement the same. However, they have not been implemented in the case of the members of the petitioner. They have also given a representation in this regard and the same has not been considered so far. Therefore, the petitioner is before this Court.

4. Earlier in the Writ Petitions filed by the individuals in W.P.Nos.3697 of 2023 etc. batch for seeking the similar relief, the respondents were directed to calculate the difference in payment of gratuity, leave salary etc., taking into consideration of the revised 7th pay



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commission recommendations and the consequential Government Orders.

5. In view of the same, this Writ Petition is disposed and the respondents are directed to consider the representation of the members of the petitioner on its own merits and in accordance with law by taking into consideration of the earlier orders passed by this Court and in the light of the Government Orders already passed. No costs.

25.03.2024

Index : Yes /No
Internet : Yes/No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

To

1.The Secretary,
Tamil Nadu Government,
Transport Department,
Secretariat, Chennai 600 009.

2.The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd.,
Pallavan House, Chennai 600 002.

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