



W.P.No.23847 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.11.2024

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

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1. P. Ilango
2. K.V. Subramanian
3. V.Mathiazhagan
4. S. Varadarajan
5. T.S. Sukumar
6. N. Kalathy
7. K.Balasubramanian
8. K.Prabakaran
9. D. Nagarajan
- 10.A.Nagarajan
- 11.G.Thanigaiselvan
- 12.K.Rajendran
- 13.A.Mohamed Haneefa
- 14.E.Selvamani
- 15.P.Rajendran
- 16.D.Mohan
- 17.N.Mohanakrishnan
- 18.R.Karunanithi



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19.A.Renuka Devi

20.T.Lalitha

21.M.Sampath

22.R.Yathirajulu

23.N.Ramakrishnan

24.P. Ganapathi

25.E.Amudha

...Petitioners

Vs

The Managing Director,
Tamil Nadu Industrial Investment
Corporation Limited,
No.692, Anna Salai
Nandanam, Chennai – 600 035

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent to consider the pay anomaly of the petitioners and fix the same and further direct the respondent to pay the revised scale of pay within a time frame as may be fixed by this Court.

For Petitioner : Mr. P.K.Harinath Babu

For Respondents : Mr.K.Magesh
Standing Counsel



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ORDER

The petitioner has filed this writ petition seeking a Writ of Mandamus directing the Respondent to consider the pay anomaly of the petitioners and fix the same and further direct the respondent to pay the revised scale of pay within a time frame as may be fixed by this Court.

2. The facts of the case is that the petitioners are retired employees of the Respondent/Corporation. It is stated that as per the recommendation of the Sixth Pay Commission, the Government of Tamil Nadu by virtue of G.O.Ms.No.234 Finance (Pay cell Department dated 01.06.2009 had revised the scale of pay to the Government employees and also extended the same to the employees of the various Government undertakings and Corporations which includes the respondent Corporation as well. However, while fixing the scale of pay of the employees of the Respondent/Corporation as per the Sixth Pay Commission , certain anomalies arose wherein the senior employees were drawing lesser scale of pay than their respective juniors like that of the petitioners. Hence, the petitioners made several representations to the



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Respondent/Corporation for setting right the pay. The Respondent/Corporation vide letter dated 10.04.2024 which is a reply given to the 16th petitioner under Right to Information Act had stated that a Pay Anomaly Committee comprising of three members was constituted as early as on 30.07.2021 and the said committee will deal with the grievances relating to pay fixation for the retired and serving employees. However, the said committee has not taken any steps to solve the issue. Hence this petition.

3.The learned counsel for the petitioners submitted that the Respondent/Corporation has rectified the pay anomaly to certain employees and the petitioners have been deprived of the same. He further submitted that three members of the said committee have already retired from services. Hence, prays to allow this petition.

4. The learned Standing Counsel appearing for the respondent submitted that initially a Pay Anomaly Committee was constituted vide Office Order No.THCHo/HRM/Pay-Anomaly/2021-1 dated 30.07.2021 to examine the proposals relating to the request received from the



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employees who are in services / who had retired from service to redress the anomaly in the fixation of their pay. However, the Pay anomaly committee members retired from services. Hence, presently as per Office order No.THCHRM/Pay-Anomaly/2024-2025 dated 12.09.2024, Pay Anomaly committee (AC) is constituted with four members to deal with the said issue.

5. Heard both sides and perused the materials available on record.

6. On a perusal of the counter affidavit it has been seen that that as per Office order No.THCHRM/Pay-Anomaly/2024-2025 dated 12.09.2024, Pay Anomaly committee (AC) is constituted to deal with the said issue and they will dispose the case at the earliest preferably within a period of three months and the relevant portion is extracted hereunder:

9. I further state that the Pay Anomaly committee has been directed to meet once in a week and dispose the case at the earliest preferably within a period of three months. The Pay Anomaly committee shall consider the request of the 131 retired employees including the writ petitioners in accordance with the fundamental rules and pay anomaly G.Os issued by the Government of Tamil



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Nadu.

7. In view of the above facts and the submission made by the Standing Counsel appearing for the Respondent, this Court directs the members of the Pay Anomaly Committee to consider the case of the petitioners and file a report to the respondent within a period of three months from the date of receipt of a copy of this Order. The Respondent is directed to pass orders within a period of one month from the date of receipt of the report from the Pay Anomaly Committee.

8. With the above observations and directions, this writ petition stands disposed. No costs.

18.11.2024

Index:Yes/No

Speaking order/Non-speaking order

smn

Note: The Registry is directed to issue order copy on 25.11.2024

To.

The Managing Director,
Tamil Nadu Industrial Investment
Corporation Limited,
No.692, Anna Salai



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V.BHAVANI SUBBAROYAN,J.

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