



WEB COPY



W.P.No.30396 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.30396 of 2025

G.Shankar

... Petitioner

Vs.

1.Govt. Of Tamil Nadu
Rep. By Its Principal Secretary, Transport Department,
Fort St. George, Chennai-600 009.

2.Institute Of Road Transport,
Rep. By Its Director, Taramani, Chennai-600 113.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, Directing the respondents to pay the petitioner the balance 75 percent arrears of salary of Rs.3,13,929/- payable to him based on the revision of pay effected to the employees of the 2nd respondent as per the recommendations of 7th Pay commission, for the period from 01.10.2017 to the date of his retirement along with interest at the rate of 12 percent for the delay and to pay him interest at the rate of 12 percent p.a for the belated payment of 25 percent of arrears already paid to him on 30.12.2022 within a stipulated time as may be fixed by this



W.P.No.30396 of 2025

Honourable Court, award costs.

WEB COPY

For Petitioner : M/s.G.K.Dharshini

For Respondents : M/s.V.Jeevagiridharan, AGP for R.1.

: M/s.C.Gauthamaraj for R.2.

ORDER

This writ petition is filed for the following reliefs:-

“Directing the respondents to pay the petitioner the balance 75 percent arrears of salary of Rs.3,13,929/- payable to him based on the revision of pay effected to the employees of the 2nd respondent as per the recommendations of 7th Pay commission, for the period from 01.10.2017 to the date of his retirement along with interest at the rate of 12 percent for the delay and to pay him interest at the rate of 12 percent p.a for the belated payment of 25 percent of arrears already paid to him on 30.12.2022 within a stipulated time as may be fixed by this Honourable Court, award costs.”

2. The case of the petitioner is that he had joined the services of the 2nd respondent institute on 16.04.1991 and after rendering 31 years of

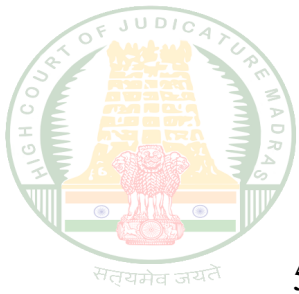


W.P.No.30396 of 2025

service, retired on 31.05.2022. On 11.10.2017 the Tamil Nadu Government had granted revision of pay and allowance to its employee as per the VII Pay Commission recommendation and notified the same Go.Ms.No.303, Finance Department dated 11.10.2017. However, the said Government Order was adopted by respondents 1 and 2 vide GO.Ms.119 dated 12.07.2019 and through proceedings No.1293/A7/Acct/2018-19 dated 30.07.2019 respectively. It was given effect to notionally from 01.01.2016 and with monetary benefits with effect from 01.10.2017 in the case of Tamilnadu Government Servants.

3. The petitioner would submit that he has been paid 25 % of the arrears of salary for the period from 01.10.2017 to 30.06.2019 which was paid only on 30.12.2022 about two and a half years from the due date without any interest. The petitioner would further submit that the balance 75% has not been paid despite the orders adopting the VII Pay Commission recommendation. Therefore, the petitioner had sent representations to the respondents on 09.01.2025 and 25.04.2025 seeking the payment of the balance 75% arrears of salary. However, to date, the balance amount has not been paid. Hence, the Writ Petition.

4. Heard the learned counsel on either side and perused the records.



WEB COPY

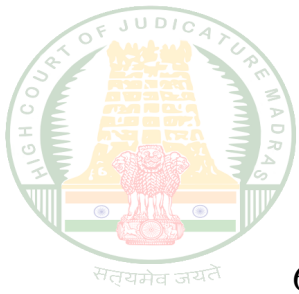
5. It is brought to the notice of this Court that the present case in no longer res integra in view of the judgement passed by the Division Bench of this Court in WA.No.2619 of 2024 dated 30.08.2024, wherein the Division Bench had passed the following orders:-

i) As assured by the learned Additional Advocate General, the EL Encashment shall be settled to the Writ Petitioners within a period of four weeks from today;

ii) Insofar as the arrears of salary are concerned, the Appellant Society is directed to disburse the same in two installments. The 1st installment shall be paid within a period of three months from today and the 2nd installment shall be paid within three months thereafter. It is needless to mention that the payment of arrears shall carry interest at the rate of 4% per annum;

iii) In case the Writ Petitioners are entitled to any other benefits, the same shall also be settled to them, if they are otherwise eligible;

iv) Last but not the least, in the event of non compliance of the above directions by the Appellant, the Writ Petitioners are entitled to interest @ 12% per annum.



WEB COPY

6. This judgement was also followed by a learned Single Judge of this Court in W.P. No. 28592 of 2025, dated 31.07.2025, wherein the learned Judge had passed the following orders:-

"6. In such view of the submission, without going into the merits of the writ petition, this Court deems it appropriate to direct the respondents to consider the petitioner's representations dated 04.09.2024 and 23.04.2025 and pass orders on its own merits and in accordance with law, within a period of twelve weeks from the date of receipt of copy of this order.

7. It is pertinent to mention here that if the petitioner is otherwise entitled for any amount, the same may be paid along with interest at the rate of 4% per annum, as ordered in W.A.No.2619 of 2024, dated 30.08.2024."

7. Though the Writ Petition is filed for the reliefs stated supra, however, considering the judgement passed in W.A.No.2619 of 2024 dated 30.08.2024 and the order passed in WP.No.28592 of 2025, the Writ



W.P.No.30396 of 2025

Petition is disposed of directing the respondents to consider the representations of the petitioner dated 09.01.2025 and 25.04.2025 and pass orders on merits and in terms of the judgement in WA.No.2619 of 2024 and WP.No.28592 of 2025 within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

8. It is needless to state that if the petitioner is otherwise entitled for any amount, the same may be paid along with interest at the rate of 4% per annum, as ordered in W.A.No.2619 of 2024, dated 30.08.2024.

13.08.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1.The Principal Secretary, Transport Department,
Govt. Of Tamil Nadu
Fort St. George, Chennai-600 009.

6/8



W.P.No.30396 of 2025

2. The Director,
Institute Of Road Transport,
Taramani, Chennai-600 113.

WEB COPY

P.T. ASHA. J.,

(shr)



WEB COPY



W.P.No.30396 of 2025

W.P.No.30396 of 2025

13.08.2025