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W.P.No.42884 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.42884 of 2025

P.Eswaran

... Petitioner

-Vs-

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

2. Tamil Nadu State Transport Corporation (Coimbatore) Limited,
Represented By Its Managing Director,
37, Mettupalayam Road,
Coimbatore -641 043.

3. The General Manager,
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Erode Region, Erode.

4. The Administrator,
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam, Anna Salai,
Chennai-2.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the Respondents to give pay revision and pay fixation to the petitioner w.e.f 13.03.17 nationally, by applying the multiplier of 2.57 as per para 8 in G.O.Ms.No.303, Finance (Pay Cell) Dated 11.10.17 G.O.Ms.No.319, Finance (BPE) Department, dated 31.10.18, G.O.Ms.



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No.134, Transport (C1) Department, dated 09.04.18 and with monetary benefits w.e.f. 01.10.17 with arrears of salary, terminal/pension benefits namely Gratuity, Encashment of Leave, Monthly Pension and Commutated Value of Pension, by revising them based on such revised pay within a specified time as may be fixed by this Hon'ble Court.

For Petitioner	: Mr.V.Ajoy Khose
For R1	: Mr.S.Yashwanth Additional Government Pleader
For R2 and R3	: Mr.M.Muralivinoth Standing Counsel

ORDER

This Writ Petition has been filed for direction directing the Respondents to give pay revision and pay fixation to the petitioner w.e.f 13.03.17 notionally, by applying the multiplier of 2.57 as per para 8 in G.O.Ms.No.303, Finance (Pay Cell) Dated 11.10.17 G.O.Ms.No.319, Finance (BPE) Department, dated 31.10.18, G.O.Ms. No.134, Transport (C1) Department, dated 09.04.18 and with monetary benefits w.e.f. 01.10.17 with arrears of salary, terminal/pension benefits namely Gratuity, Encashment of Leave, Monthly Pension and Commutated Value of Pension, by revising them based on such revised pay within a specified time as may be fixed by this Hon'ble Court.

2. Heard the learned counsel for the petitioner, the learned Additional Government Pleader for the first respondent and the learned Standing Counsel



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for the respondents 2 and 3 and perused the materials available on record.

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3. The issue involved in the present writ petition has already been dealt with by the Hon'ble Madurai Bench of this Court in W.P(MD) No.3609 of 2020, by an order dated 20.06.2023, wherein this Court held as follows :

“7. There is yet another aspect. The petitioner invoked the provisions of the RTI Act and obtained written response from the management on 05.08.2019 that similarly placed employees who were given the benefit of the 2013 wage settlement were given the benefit of 2.57 multiplier. A copy of the said response has been enclosed at Page No.29 of the typed set of papers. Denying the benefit sought for by the petitioner would be a clear infraction of the mandate of equality set out in Article 14 of the Constitution of India. The impugned G.O. is inapplicable to the case of the petitioner. The respondents have proceeded on the erroneous premise that the petitioner got the benefit of the 2016 wage settlement. Once this factual assumption has been demonstrated to be incorrect, the G.O. cannot be made applicable to the petitioner. The respondents are directed to refix his pay by adopting 2.57 multiplier/matrix by taking into account the 7th Pay Revision. Such an order shall be passed by the second respondent within a period of three weeks from the date of receipt of a copy of this order. The consequential monetary benefits shall be disbursed within a period of six weeks thereafter with 6% interest to be computed from the date of the



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petitioner's entitlement."

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4. Aggrieved by the same, the respondents preferred a writ appeal in W.A (MD) No.1099 of 2024. The Hon'ble Division Bench of this Court dismissed the writ appeal by an order dated 04.07.2024 and observed as follows :

"9. In the instant case, the writ petitioner/first respondent, who was originally appointed as Clerk on 16.06.1980, was promoted from the post of Senior Assistant to the post of Superintendent on 04.03.2017. The vehement contention of the learned Counsel for the appellants that since 2016 wage settlement was made applicable with effect from 01.09.2016 and the first respondent was promoted on 04.03.2017 itself, he is covered under G.O (Ms) No.330, dated 31.10.2018 and therefore, the pay can be fixed only by adopting 2.44 multiplier, is liable to be rejected for the simple reason that even though the 2016 wage settlement was made applicable with effect from 01.09.2016, the monetary benefits of the 2016 wage settlement was given effect to only from 01.09.2017. By the date on which, 2016 wage settlement was effected i.e., on 01.09.2017, the first respondent/writ petitioner had already been promoted on 04.03.2017 itself. In other words, only after the first respondent/writ petitioner got promotion on 04.03.2017, the 2016-wage settlement was given effect monetarily from 01.09.2017. Since on the date of giving effect of the 2016-wage settlement, the writ petitioner had got promotion, he was not



given the benefits of the 2016-wage settlement.

10. When G.O.(Ms) no.330, dated 31.10.2018, makes it clear that only the employees, who have been migrated cadre to Government scale of pay, even after 01.06.2016, who get the benefit of 2016 wage settlement, those pay shall be fixed by adopting 2.44 multiplier. Here, admittedly, which the first respondent/writ petitioner was not given the benefits of 2016-wage settlement and he had been promoted to the supervisory cadre on 04.03.2017 itself, the first respondent is entitled for re-fixation of his pay by adopting 2.57 multiplier/matrix by also taking into account the 7th pay revision.

11. By taking note of all the above factual matrix, the learned Judge had arrived at a right conclusion that the first respondent, who had not been provided with the benefits of 2016-wage settlement, will be entitled for pay fixation by adopting 2.57 multiplier, which is perfectly legal and does not warrant any interference by this Court. In such circumstances, the order of the writ Court is liable to be sustained and accordingly, sustained. The appellant Corporation shall comply with the direction issued by the learned Judge within a period of four weeks from the date of receipt of a copy of this order.”

5. The said order was also challenged before the Hon’ble Supreme Court of India in S.L.A (C) No.26264 of 2024 and the same was also dismissed by an order dated 11.11.2024.



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6. In view of the above, the respondents are directed to give pay revision and pay fixation to the petitioner with effect from 13.03.2017 notionally, by applying the multiplier of 2.57 as contemplated in para 8 of G.O.Ms.No.303, Finance (Pay Cell) dated 11.10.2017, G.O.Ms.No.319, Finance (BPE) Department, dated 31.10.2018 and G.O.Ms.No.134, Transport (C1) Department, dated 09.04.2018 and to extend monetary benefits with effect from 01.10.2017 along with arrears of salary, terminal/pension benefits namely gratuity, encashment of leave, monthly pension and commuted value of pension, by revising the same based on the revised pay.

7. With the above directions, this writ petition stands disposed of. No costs.

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Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
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G.K.ILANTHIRAIYAN. J,

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