IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2025

CORAM:

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

W.P.No.43993 of 2025

1.V.T.Jeyanthi
2.A. Mallika ….. Petitioners

Vs

M/s. Metropolitan Transport Corporation,
Rep. by its Managing Director,
No.1, Pallavan Salai,
Chennai-600 002. ….. Respondent

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent herein to fix the pay of the petitioners herein by adopting 2.57 Multiplier/ Matrix by taking into account of 7th Pay Commission and pay the consequential benefits to the petitioners herein by considering the representation of the 1st petitioner herein dated 16.10.2025 and representation of the 2nd petitioner herein dated 18.10.2025 and in light of the orders of Madurai Bench of this Court in W.P. (MD) No. 3609 of 2020 dated 20.06.2023 and confirmed by Madurai Division Bench of this Honble court in WA (MD) No. 1099 of 2024 by its order dated 04.07.2024 and further confirmed by the Honble Supreme Court of India in SLP(C) No. 26264 of 2024 dated 11.11.2024.

For Petitioners : Mr.D.Soundar Raj

For Respondent : Mr.A.Vinothraj
Standing Counsel

ORDER

This Writ Petition has been filed for direction directing the respondent herein to fix the pay of the petitioners herein by adopting 2.57 Multiplier/ Matrix by taking into account of 7th Pay Commission and pay the consequential benefits to the petitioners herein by considering the representation of the 1st petitioner herein dated 16.10.2025 and representation of the 2nd petitioner herein dated 18.10.2025 and in light of the orders of Madurai Bench of this Court in W.P. (MD) No. 3609 of 2020 dated 20.06.2023 and confirmed by Madurai Division Bench of this Court in WA (MD) No. 1099 of 2024 by its order dated 04.07.2024 and further confirmed by the Honble Supreme Court of India in SLP(C) No. 26264 of 2024 dated 11.11.2024.

2. Heard the learned counsel on either side and perused the materials available on record.

3. It is seen that the very same issue has already been dealt with by the Madurai Bench of this Court in W.P.(MD) No.3609 of 2020 dated 20.06.2023, wherein it was held as follows:-

> *" 4. ....The stand of the respondents is that the employees working in the respondent corporation will fall under one of the two patterns:-*

A. Workmen covered by the settlement under Section 12(3) of the Industrial Dispute Act.

B. Employees in supervisory and managerial cadre getting pay as per the Government pattern.

Persons like the petitioner who were workmen subsequently migrated from the workman category to the supervisory category. Issue arose regarding their fixation of pay while implementing the Tamil Nadu Revised Pay Rules, 2017. One Man Committee was constituted. The said committee recommended adopting 2.44 multiplier factor in respect of those who have been promoted to supervisory and managerial cadre. Following the representations made by the association that 2.57 multiplier factor should be adopted, an arbitrator (Hon'ble Justice E.Padmanabhan (Rtd.) was appointed as the sole arbitrator. The Hon'ble Arbitrator went into the issue and after several rounds of discussion, passed the award on 26.03.2018. Purporting to implement the said award, the impugned G.O came to be issued. The only question that calls for consideration is whether the impugned G.O can be applied in the case of the petitioner.

5. The issue is whether 2.44 multiplier should be adopted or 2.57 multiplier should be adopted for the petitioner. The operative portion of the G.O is as follows:-

> *"5. Hence the committee has concluded that the existing benefit allowed in G.O.(Ms)No.220, Transport (C.1) Department, dated 23.07.2018 ie., applying 2.44 multiplier factor to the Technical / Administrative Supervisory category employees who have been promoted and migrated to Government scale of pay pattern between 01.01.2016 and 31.08.2016 as well as after 01.09.2016 (ie., after getting the benefit of wage settlement, 2016) is reasonable and the same may be continued.*
>
> *6. The Government after careful examination has decided to accept the report of the committee in para 4 and 5 above and direct the Managing Directors of all State Transport Undertakings to continue the existing benefit allowed in G.O.(Ms)No.220, Transport (C.1) Department, dated 23.07.2018, ie., applying 2.44 multiplier factor to*

the Technical / Administrative Supervisory category employees who have been promoted and migrated to Government scale of pay pattern between 01.01.2016 and 31.08.2016 as well as after 01.09.2016 (ie., after getting the benefit of wage settlement, 2016) and to fix the pay of the above category of employees accordingly."

6. A reading of the reasons set out in the award also indicates that the Hon'ble Arbitrator was clearly of the view that allowing 2.57 multiplier factor to the employees who have already availed the benefit of 2.44 factor as per 2016 wage settlement would not be proper. I posed a specific question to the respondents if the petitioner had been granted the benefit of 2016 wage settlement. The writ petitioner in his affidavit had clearly stated that he had not been granted the benefit of the 2016 wage settlement. In the counter affidavit, it has been implicitly conceded that the petitioner was not given the benefit of the said wage settlement. This is too obvious. It does not require any concession from the respondents. Though the 2016 wage settlement was notionally made applicable with effect from 01.09.2016, the monetary benefit was given only with effect from 01.09.2017. The petitioner admittedly was promoted on 04.03.2017 itself. Therefore, he was excluded from the applicability of the monetary benefit of the 2016 wage settlement. If the 2016 wage settlement was applied to the petitioner, he could not have been given the benefit of 2.57 multiplier. In as much as the petitioner was not given such benefit, the petitioner should also be granted the very same multiplier.

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 petitioner's entitlement."*

4. In view of the above, the respondent is directed to fix the salary of the petitioners by adopting 2.57 Multiplier/Matrix by taking into account of 7th pay Commission Revision from the date of promotion and disburse the consequential benefits to the petitioners, with interest at the rate of 6% p.a, within a period of eight weeks from the date of receipt of a copy of this order.

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

18.11.2025

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
Lpp

G.K.ILANTHIRAIYAN. J,

Lpp

To

The Managing Director,
Metropolitan Transport Corporation,
No.1, Pallavan Salai,
Chennai-600 002.

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