



WEB COPY



W.P. No.47545 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.12.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P. No.47545 of 2025

D.C.Robinson
S/o.D.Christopher,
No.126/88, Chellappa Street,
Otteri, Chennai- 600 012.

Petitioner(s)

Vs.

M/s.State Express Transport Corporation Ltd.,
Rep. By its Managing Director,
No.2, Pallavan Salai, Chennai-600 002.

Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent herein to revise / refix the wages of the Petitioner herein from 01.09.1991 on par with his Junior G.Krishnasamy and consequently pay the arrears of pay by considering the representation of the petitioner dated 26.07.2025.

For Petitioner(s) : Mr.D.Soundar Raj

For Respondent(s) : Mr.C.S.K.Sathish
for Mr.M.Vinoth



W.P. No.47545 of 2025

ORDER

WEB COPY

This Writ Petition has been filed seeking a direction to the respondent herein to revise / refix the wages of the Petitioner herein from 01.09.1991 on par with his Junior G.Krishnasamy and consequently pay the arrears of pay by considering the representation of the petitioner dated 26.07.2025.

2. The learned counsel for the petitioner would submit that the petitioner was appointed as Non-IT Helper Trainee on 14.08.1987 for a period of 4 years, along with 30 other employees with a condition that he should work as daily wage labourer for a period of one year and on completion of four years of service the services of the petitioner would be regularised in the time scale of pay, in case the petitioner had completed 240 days within a year. It is further submitted by the learned counsel for the petitioner that the petitioner's service was not regularised even after nine (9) years i.e., till 1996. While so, the petitioner had approached the Deputy Chief Inspector of Factories, Chennai along with nine others in Case No.2/3497/96 seeking a direction to the respondent to regularise their service from the date of completion of 4 years training. Thereafter, on 09.04.1997 an order was passed directing the respondent to regularise the petitioners service as per Section 3 of the Tamil Nadu Industrial Establishment (Conferment of Permanent Status to Workmen) Act, 1981, with effect from 24.08.1990 on completion of four years training.

2/6



W.P. No.47545 of 2025

WEB COPY

3. Pursuant thereto, the petitioner preferred a writ petition before the Court against the aforesaid order, in W.P.No.13948 of 1997 and etc. batch, wherein this Court vide order dated 27.07.1999 directed the respondent to regularise the petitioner's service and to place him at the appropriate scale, from the commencement of 5th year reckoning from the date on which the petitioner joined the respondent Corporation as Trainee. Accordingly, the petitioner's services were regularised with effect from 01.09.1991 vide order of the respondent dated 11.01.2001. Thereafter, when the petitioner had applied for medical leave, the same was rejected and soon thereafter, the respondent had framed charges against the petitioner for being absent to duty without intimation and without furnishing leave letter and proceeded to dismiss the petitioner from service vide order dated 08.02.2000.

4. Aggrieved by the order of dismissal, the petitioner filed a dispute before the Labour Court in I.D.No.818 of 2001. The Labour Court passed an Award on 22.09.2010 setting aside the order of dismissal and directing the respondent to reinstate the petitioner in service with continuity of service, without backwages. That being so, the respondent had directed the petitioner enter into a settlement and to join service as fresh entrant. The petitioner vide fresh entrant settlement dated 25.06.2011 under Section 18(1) of the Industrial Disputes Act and joined



W.P. No.47545 of 2025

duty. Thereafter, the petitioner submitted representations dated 01.10.2012, 04.10.2013, 10.07.2014, 06.08.2015, 05.08.2016, 27.11.2017 and 17.02.2022 to the respondent, however, the same has not been considered. Aggrieved by the same, the petitioner filed a writ petition in W.P.No.31558 of 2022, wherein this Court vide order dated 17.03.2023 directed the respondent to consider the representations and pass orders on merits, pursuant to which the petitioner's date of appointment was fixed as 01.09.1991, however, his salary has not been revised on par with his junior for which he had submitted a representation on 26.07.2025 seeking revision of salary from 01.09.1991 and to recover his provident fund contribution, which had not been considered so far. Therefore, the petitioner has filed this writ petition seeking appropriate relief.

5. Though very many grounds have been raised in this writ petition, learned counsel appearing for the petitioner submits that, it would suffice, if this Court issues a direction to the respondent to considering the petitioner's representation dated 26.07.2025, within a time frame that may be fixed by this Court.

6. In view of the limited request sought for by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the case, directs the respondent to consider the petitioner's



W.P. No.47545 of 2025

representation dated 26.07.2025, on merits and in accordance with law and pass appropriate orders, within a period of six (6) weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

7. With the above direction, this Writ Petition is disposed of. No costs.

12.12.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

mka

To:

The Managing Director,
State Express Transport Corporation Ltd.,
No.2, Pallavan Salai,
Chennai-600 002.



WEB COPY



W.P. No.47545 of 2025

M.DHANDAPANI, J.

mka

W.P. No.47545 of 2025

12.12.2025