

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2015

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI

and

THE HON'BLE Dr.JUSTICE P.DEVADASS

W.P.No.32681 of 2014

Tamil Nadu Judicial Employees Contributory
Pension Subscribers Association
rep. by State President N.Muruganantham ..Petitioner

Vs.

1. The Tamil Nadu State Government
rep. by its Chief Secretary,
Secretariat, Fort St. George,
Chennai - 600 009.

2. The Secretary,
Department of Finance,
Secretariat, Fort St. George,
Chennai - 600 009.

3. The Accountant General (A & G),
Chennai - 600 018.

4. The Director,
Government Data Center,
Chennai - 600 025.

5. The Director,
Department of Treasuries and
Accounts, Chennai - 600 015.

6. The Secretary,
Department of Home (Courts),
Secretariat, Chennai - 15.

7. The Registrar General,
High Court of Madras,
Chennai - 104.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the first respondent to consider the petitioner's representation dated 30.07.2014 to stop the new Contributory Pension Scheme and change the scheme into old pension scheme.

For Petitioner .. Mr.T.Dhanasekaran

For Respondents.. Mr.P.H.Arvinth Pandian,
Addl. Advocate General
assisted by
Ms.A.Sri Jayanthi,
Spl. Govt. Pleader for R1, R2
and R4 to R6
Mr.B.Vijay for R7

ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

The instant writ petition is filed, seeking a direction to the first respondent to consider the representation dated 30.07.2014 in respect of changing the pension scheme from Contributory Pension Scheme to the Old Pension Scheme.

2. In this writ petition, notice was ordered on 12.12.2014. Thereafter, the matter could see the light of the day only in October, 2015. Regard being had to the relief sought in this writ petition, we are not inclined to adjudicate the dispute on merits as to whether the petitioner is entitled to the benefit of Old Pension Scheme or new Contributory Pension Scheme. We leave it open to the respondents to consider the representation and take decision in accordance with law.

3. The learned Additional Advocate General fairly submits that a decision on the said representation will be taken at the earliest.

4. In view of the submission made by the learned Additional Advocate General, the first and second respondents are directed to consider the representation of the petitioner dated 30.07.2014 and pass a reasoned order on its own merits, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of.
No costs.
Mmi

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub-Assistant Registrar

To

1. The Chief Secretary to Government,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Secretary,
Department of Finance,
Secretariat, Fort St. George,
Chennai - 600 009.
3. The Accountant General (A & G),
Chennai - 600 018.
4. The Director,
Government Data Center,
Chennai - 600 025.
5. The Director,
Department of Treasuries and
Accounts, Chennai - 600 015.
6. The Secretary,
Department of Home (Courts),
Secretariat, Chennai - 600 015.
7. The Registrar General,
High Court of Madras,
Chennai - 600 104.

+2 C.C. To MR.T.Dhanasekaran, Advocate in SR.NO.60881

W.P.No.32681 of 2014

AR(III)
sd : 18/11/2015