

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 14.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28812/2015

A.Irudhaya Mary

.. Petitioner

Versus

1. The Secretary to Government
School Education Department
Fort St George, Chennai - 600 009.
2. The Commissioner,
Government Data Centre
Guindy, Chennai - 600 025.
3. The Director of School Education,
DPI complex, College road,
Chennai-6.
4. The District Educational Officer,
Chennai East, Chennai - 600 094.
5. The Correspondent,
St Peter's Higher Secondary School
Royapuram, Chennai - 600 013.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the respondents to admit the petitioner under the Old Teachers Provident Fund Scheme and allot the account number instead of Contributory Pension scheme [which came into effect from 01.04.2003] in pursuance of the approval of the petitioner appointment in the post of Junior Assistant with effect from 01.03.2003 by the proceedings of the 4th respondent in his proceedings RC.No.1442/A2/2008 dated 29.03.2014 and based on the proposal submitted by the 5th respondent to the 4th respondent on 25.07.2014.

For Petitioner : Mr.K.H.Ravikumar

For RR 1 to 4 : Mr.R.Vijayakumar,
AGP

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The appointment of the petitioner as Junior Assistant was approved by the 4th respondent, vide proceedings dated 29.03.2014 with effect from 01.03.2003 and thereby, she will get a starting pay of Rs.3200/- in the Time Scale of Pay Rs.3200-85-4900 from that date. The grievance now expressed by the petitioner is in terms of the said approval, though the 5th respondent - Management has sent a proposal along with all particulars and enclosures to admit the petitioner under the Old Teachers Provident Fund Scheme instead of Contributory Pension Scheme which came into effect from 01.04.2003, nothing has fructified so far and in this regard, she has also sent a representation dated 21.08.2015 to the respondents and since no orders have been passed, she came forward to file this writ petition.

3. Heard the submissions of the learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the respondents 1 to 4.

4. Though the petitioner has sought for a larger relief, this Court, in the light of the above facts and circumstances, directs the respondents 3 and 4 to consider and dispose of the petitioner's representation dated 07.08.2015 on merits and in accordance with law after taking note of the proceedings of the 4th respondent in RC.No.1442/A2/2008 dated 29.03.2014 and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. The writ petition is disposed of accordingly. No costs.

AP

Sd/-

Assistant Registrar (CS)

/True Copy/

Sub-Assistant Registrar

To

1. The Secretary to Government
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2. The Commissioner,
Government Data Centre
Guindy, Chennai - 600 025.

3. The Director of School Education,
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Chennai - 600 006.
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Royapuram, Chennai - 600 013.

+1 C.C. To MR.K.H.Ravikumar, Advocate in SR.NO.50118

+1 C.C. To Government Pleader in SR.NO.50284

W.P.No.28812/2015

LRS (CO)
sd : 27/10/2015



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