

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15-10-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.33180 of 2015

K.C.Ramanathan

... Petitioner

Vs

1. The Secretary to Government
Municipal Administration and
Water Supply Department
Fort St. George, Chennai 9
2. The Director of Town Panchayat
Kuralagam, Chennai 108
3. The Commissioner
Corporation of Chennai
Ribbon Buildings,
Chennai 600 003
4. The Zonal Officer
Zone No.12, Chennai Corporation
No.1, Pudu Street, Alandur,
Chennai 16.
5. The Sanitary Supervisor
Region No.159, Block No.36
Zone No.12, Chennai Corporation
Meenambakkam, Chennai 27

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents 1 to 3 to consider and pass orders on the petitioner's representation dated 3.10.2015, regarding cancellation of membership in the newly introduced Contributory Pension Scheme and to bring the petitioner under Old Pension Scheme and for the refund of subscription made by the petitioner towards New Contributory Pension Scheme in the light of the judgment of Division Bench in W.P.No.2110 of 2014 dated 19.3.2014, reported in 2014 (2) CTC 777 within a time frame.

For Petitioner : Mr.A.Baskaran

For Respondents : Mr.N.Srinivasan
Additional Government Pleader
for RR1 and 2

Mr.G.Anantharangan
for RR3 to 5

ORDER

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

2.The petitioner would state that he was appointed as a NMR employee (Bill Collector) by the fifth respondent on 2.10.1992, and the Government has introduced Contributory Pension Scheme in G.O.Ms.No.259, Finance (Pension) Department, dated 6.8.2003, in respect of the newly recruited employees, who had entered into the service on or after 1.4.2003, and it was given implementation vide G.O.Ms.No.430, Finance (Pension) Department, dated 6.8.2004.

3.It is further averred by the petitioner that he was brought into regular time scale of pay on 11.12.2009, and his services are to be regularised from the date of initial appointment and in this regard, he has submitted a representation dated 3.10.2015, to the first respondent with copies marked to the other respondents, and since no orders have been passed, came forward to file this writ petition.

4.Heard the submissions of the learned Counsel appearing for the petitioner, Mr.N.Srinivasan, learned Additional Government Pleader, who accepted notice on behalf of the respondents 1 and 2, and Mr.G.Anantharangan, learned Standing Counsel, who accepted notice on behalf of the respondents 3 to 5.

5.Though the petitioner prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the respondents 2 and 3 to consider the petitioner's representation dated 3.10.2015, on merits and in accordance with law and pass

orders thereon 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. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

nsv

To:

1. The Secretary to Government
Municipal Administration and
Water Supply Department
Fort St. George, Chennai 9
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Kuralagam, Chennai 108
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+1cc to Mr.A.Baskaran, Advocate, S.R.No.57839
+1cc to the Government Pleader, S.R.No.57558

W.P.No.33180 of 2015

EV(CO)
CA(29/10/2015)