

In the High Court of Judicature at Madras

Dated: 15.10.2015

Coram

The Honourable Mr.JUSTICE M.SATHYANARAYANAN

Writ Petition No.33187 of 2015

Mrs.S.Amirth Meril Zarina

.... Petitioner

Vs.

1. State of Tamil Nadu
rep. by its Secretary,
Finance Department,
Fort St. George, Secretariat,
Chennai - 600 009.
2. State of Tamil Nadu
rep. by its Secretary,
Personnel & Administrative Reforms Department,
Fort St. George, Secretariat,
Chennai - 600 009.
3. The Secretary,
Tamil Nadu Public Service Commission,
Frazar Bridge Road, VOC Nagar,
Park Town, Chennai - 600 006.
4. The Accountant General (A&E),
No.361, Anna Salai,
Teynampet, Chennai - 08.

.... Respondents

PETITION under Article 226 of The Constitution of India
praying for issuance of Writ of Mandamus directing the
respondent No.1 to re-allot the GPF A/c No.159443/GA by taking
note of the petitioner's recruitment prior to 01.04.2003 within
the time stipulated by this Court.

For Petitioner :Mr.K.Thilageswaran

For Respondents:Mr.N.Srinivasan, AGP - R1 and R2
Ms.C.N.G.Niraimathi - R3
Mr.V.Vijayashankar - R4

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner was selected by the Tamil Nadu Public Service Commission for Group IV service during the year 1999-2000 based on the main examination held on 06.02.2000. The petitioner was informed that she was allotted to the Revenue Unit, Erode District. The petitioner attended the interview at the Collectorate, Erode and orally came to know that there was no vacancy for the post of Junior Assistant -cum-typist and surrendered his allotment to the TNPSC, who in turn, has informed the petitioner that the appointment order will be issued shortly.

3. The petitioner, in this regard, was repeatedly corresponding with the concerned authority. After a long lapse of 2 1/2 years, she was allotted to the Office of the Commissioner, Civil Supplies and Consumer Protection, Chepauk, Chennai, vide proceedings of the fourth respondent dated 23.12.2003 and joined duty on 07.01.2004.

4. The grievance expressed by the petitioner is that while working in the Office of the Commissioner, Civil Supplies and Consumer Protection, Chennai, she was allotted GPF Account No.159443/GA and as per the proceedings of the Principal Accountant General, Chennai dated 18.06.2004, it was closed and she was also informed that she was not eligible for GPF, since she was appointed on 07.01.2004 and was eligible only for contributory pension.

5. The further grievance expressed by the petitioner is that though the selection was made prior to the cut off date, the reason for her non-entitlement to regular pension scheme on account of the belated issuance of appointment order, in and by which, she joined the Office of the Commissioner of Civil Supplies and Consumer Protection Department as Junior Assistant-cum-Typist on 07.01.2004 and in this regard, she submitted a representation dated 21.07.2015 to the first respondent through proper channel and though it was received and acknowledged, no orders have been passed and hence, she came forward to file this Writ Petition.

6. Heard the submissions of the learned counsel appearing for the petitioner and Mr.N.Srinivasan, learned Additional Government Pleader, who accepts notice on behalf of respondents 1 and 2, Ms.C.N.G.Niraimathi, learned Standing Counsel accepts notice on behalf of the third respondent and Mr.V.Vijayshankar, learned Standing Counsel accepts notice on behalf of the fourth respondent.

7. Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of same, directs the first respondent to consider the representation of the petitioner dated 21.07.2015 and pass orders on merits and in accordance with law within a period of 10 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/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

sl
To

1. The Secretary to the
State of Tamil Nadu
Finance Department,
Fort St. George, Secretariat,
Chennai - 600 009.
2. The Secretary to the
State of Tamil Nadu
Personnel & Administrative Reforms Department,
Fort St. George, Secretariat,
Chennai - 600 009.
3. The Secretary,
Tamil Nadu Public Service Commission,
Frazar Bridge Road, VOC Nagar,
Park Town, Chennai - 600 006.
4. The Accountant General (A&E),
No.361, Anna Salai,
Teynampet, Chennai - 08.

+1 cc to the Government Pleader sr.57559

Writ Petition No.33187 of 2015

aa02/11/2015