

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.36462 of 2015
and MP.No.1 of 2015

M.Padma

.. Petitioner

Vs.

1. The State of Tamil Nadu
Rep.by its Secretary
Department of Finance (Pension)
Fort St.George, Chennai - 600 009.
2. The Accountant General,
Office of the Accountant General,
261, Anna Salai, Chennai 600 018.
3. The Commissioner,
Government Data Centre
Anna University Campus
Gandhi Mandapam Road,
Chennai 600 025.
4. The Chief Educational Officer,
Salem, Salem District.
5. The Headmaster
Government Girls Higher
Secondary School,
Tharamangalam, Salem District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents herein to sanction and disburse forthwith the Pension amount under the Contributory Pension Scheme Account No.7038809/EDN admissible to the petitioner with interest.

For Petitioner : Ms.H.Mary Sowmi Rexi

For Respondents : Mr.V.Jayaprakash Narayanan
(Spl.Govt.Pleader)

O R D E R

The petitioner would state that she was appointed as BT Assistant (Maths) through the Teachers Recruitment Board (TRB) and posted in the fifth respondent school/Government Girls Higher Secondary School, Tharamangalam, Salem District and joined duty on 05.10.2007.

2. As per GO.No.430 Finance (Pension) Department dated 06.08.2003 she was placed under Contributory Pension Scheme (CPS) and she was assigned CPS.Account No.7038809/EDN.

3. The grievance of the petitioner is that the respondents 3 and 5 deducted the monthly contribution from the salary of the petitioner from 01.11.2007 till her retirement i.e., on 31.12.2009 and on the date of retirement, closing balance in her account is Rs.61,598/-. The respondents has not disbursed the amount despite the fact that she retired from service on 31.12.2009, hence she made representations before the fifth respondent on 02.03.2010 and first respondent on 05.08.2014. Another representation to the fifth respondent on 18.09.2014, but she has not yet received any communication from the respondents. Hence, the present writ petition before this Court.

4. Heard the submissions of M/s.H.Mary Sowmi Rexi learned counsel appearing for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, who accepts notice on behalf of the respondents.

5. Though the petitioner prayed for a larger relief, this Court in the light of the facts and circumstances and without going into the merits of the case, directs the respondents 3 and 5 to consider and dispose of the petitioner's representations dated 02.03.2010, 18.09.2014 and 05.08.2014 and pass orders on merits and in accordance with law, within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.
Tsh

Sd/-

Assistant Registrar (CCC)

/True Copy/

Sub-Assistant Registrar

To

1. The Secretary,
State of Tamil Nadu
Department of Finance (Pension)
Fort St.George,
Chennai - 600 009
2. The Accountant General,
Office of the Accountant General,
261, Anna Salai,
Chennai 600 018.
3. The Commissioner,
Government Data Centre
Anna University Campus
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5. The Headmaster
Government Girls Higher
Secondary School,
Tharamangalam, Salem District.

+1 C.C. To MR.Issac Mohanlal, Advocate in SR.NO.62090

+1 C.C. TO The Government Pleader in SR.NO.61847

W.P.No.36462 of 2015

MP (CO)

sd : 26/11/2015

सत्यमेव जयते

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