

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2015

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.37349 of 2015

G.Mathesh

... Petitioner

Vs.

The Additional Deputy Inspector General
Central Reserve Police Force
Guwahathi, Assam-281023
Assam State

2.The Commandant
53 BN Central Reserve Police Force,
ITI Complex, Baramulla,
56 APO, Jammu & Kashmir State.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to disburse the contribution pension scheme amount to the petitioner which was deducted from the salary of the petitioner from the date of joining in the service to discharging from service along with equal contribution paid by the Central Government and considering the representation of the petitioner dated 30.10.2015 within the stipulated time framed by this Court.

For Petitioner : Mr.S.Vijayan

For Respondents : M/s.G.Venkatesan, CGSC.

O R D E R

The case of the petitioner is that he was appointed as Constable in the respondents Central Reserve Police Force on 29.12.2005 and after completing the training at Regional Training Centre, Khatkhathi, Assam, he was posted at Group Centre Guwahati, Assam. Thereafter, the petitioner was posted at 2nd respondent Group centre from June 2008 and was discharged from his service on 03.11.2008.

2.The grievance of the petitioner is that the respondents have deducted his contribution regularly from the monthly salary under the head Contribution Pension Scheme (CPS). At the time of discharge from his service on 03.11.2008, the contribution amount was not paid, hence he made representations dated 20.11.2009 and 12.08.2011 and finally on 30.10.2015 seeking to disburse the contribution deducted under the Contribution Pension Scheme. Since, no action was taken by the respondents so far, the petitioner filed the present writ petition.

3.Heard the submissions of Mr.S.Vijayan, appearing for the petitioner and Mr.G.Venkatesan, CGSC who accepts notice on behalf of the respondents.

4.Though the petitioner has prayed for a larger relief, this court, in the light of the above facts and circumstances directs the second respondent to consider the representation of the petitioner dated 30.10.2015 and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of copy of this order and communicate the decision taken, to the petitioner.

5.The Writ Petition is disposed of accordingly. No costs.

tsh

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

The Additional Deputy Inspector General
Central Reserve Police Force
Guwahathi, Assam-281023
Assam State.

2.The Commandant
53 BN Central Reserve Police Force,
ITI Complex, Baramulla,
56 APO, Jammu & Kashmir State.

+ 1 cc to Mr.S.Vijayan, Advocate Sr 63632.

+ 1 cc to M/s.G.Venkatesan, Advocate Sr 63489.

KR/15/12

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