IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.37432 of 2015

S.Shanmugam ... Petitioner

Vs.

1.The Secretary to Government
of Tamil Nadu, Municipal Administration
and Water Supply Department,
Secretariat, Fort. St. George,
Chennai-600 009.

2.The Commissioner of Municipal Administration,
Chepauk,
Chennai-600 005.

3. The Regional Director of Municipal
Administration, Thiruppur,
Coimbatore District.

4. The Commissioner,
Mettupalayam Municipality,
Mettupalayam,
Coimbatore- 641 301. ... Respondents

Prayer:
Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st Respondent herein to dispose of the representation dated 02.09.2015 of the petitioner,within the time frame.

For Petitioner : Mr.R.Muthukkannu

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

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

2. The case of the petitioner is that he was initially

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

appointed as Batch worker in the Mettupalayam Municipality on 01.04.1986. As per G.O.Ms.No.198, M.A. & W.S. Department, dated 26.10.1998, he was appointed as pipe line operator (Turn Cock) on consolidated pay of Rs.1700/- per month.

3. The petitioner would state that Central Government has introduced Contributory Pension Scheme (C.P.S.) with effect from 01.01.2004 and the State of Tamil Nadu introduced the said scheme to its employees recruited with effect from 01.04.2003 vide G.O.Ms.No:259, Finance Department, dated 06.08.2003. The petitioner was retired from service on 31.12.2012 on attaining the age of superannuation. Though the scheme introduced by the Government is not applicable to the petitioner, the respondents have deducted the amount under the Contributory Pension Scheme from the salary. Hence, he submitted a representation to the first respondent on 02.09.2015 to return the amount deducted under Contributory Pension Scheme, which has not been considered till date. Hence, the present Writ Petition has been filed.

4. Heard the submissions of Mr.R.Muthukkannu, learned counsel for the petitioner as well as Mr.V.Jayaprakash Narayanan, learned Special Government Pleader who accepts notice on behalf of the respondents.

5. Considering the limited scope of prayer sought for in this Writ Petition, this Court directs the first respondent to consider and dispose of the representation of the petitioner dated 02.09.2015, on merits and in accordance with law and pass orders, within a period of twelve weeks from the date of receipt of a copy of this order.

This Writ Petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

arr

To

1.The Secretary to Government
of Tamil Nadu, Municipal Administration
and Water Supply Department,
Secretariat, Fort. St. George,
Chennai-600 009.

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

2.The Commissioner of Municipal Administration,
Chepauk,
Chennai-600 005.

3. The Regional Director of Municipal
Administration, Thiruppur,
Coimbatore District.

4. The Commissioner,
Mettupalayam Municipality,
Mettupalayam,
Coimbatore- 641 301.

+1 cc to Mr.R.Muthukannu, Advocate, sr.63804

W.P.No.37432 of 2015

lrs co
kra 17.12.2015

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/