

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.38283 of 2015

J.Shanavaskhan

... Petitioner

Vs.

- 1.The Secretary to Government
Government of Tamilnadu (Education),
Fort St.George, Chennai.
- 2.The Commissioner,
Department of Government Information
data centre,
Guindy, Chennai - 600 025.
- 3.The Director,
Directorate of School Education,
D.P.I.Campus, College Road,
Chennai - 600 006.
- 4.The District Elementary Educational Officer,
O/o.District Elementary Education,
Ramanathapuram - 623 501.
- 5.The Additional Assistant
Elementary Educational
Officer,
O/o. Additional Assistant
Elementary Education,
Mudukulathur - 623 704.
Ramanad District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to consider the representation of the petitioner dated 03.09.2015 sent to the respondents more particularly by the second respondent.

For Petitioner : Mr.V.Alamelu

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

O R D E R

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

2. The case of the petitioner is that he was initially appointed as a Secondary Grade Teacher and joined in the Government Aided School on 17.01.2001 and he worked in that school till 09.11.2004 and thereafter, he was appointed as Secondary Grade Assistant Teacher in Pokkanarendal, Mudukulathur Union School and joined duty on 10.11.2004.

3. According to the petitioner, in the year 2001 itself, he became a subscriber in the Tamil Nadu Provident Fund Account and assigned number as ASTPF No.329361 and the amount was also deducted from his salary towards Provident Fund.

4. The petitioner would further state that the person, who was working in the Government Aided School and thereafter, joined in Government School without any break, is entitled to the benefit of Old Pension Scheme as per letter No.12788/Fin (Pension)/2007-1, dated 03.03.2007 issued by the Government. He made a representation to that effect to the respondents. Since it was not considered, the present writ petition has been filed.

5. Mr.V.Alamelu, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader for the respondents.

6. This Court, considering the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the second respondent to consider and dispose of the petitioner's representation dated 03.09.2015 and pass orders on merits and in accordance with law, 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.

With the above said direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sms

To

1.The Secretary to Government
Government of Tamilnadu (Education),
Fort St.George, Chennai.

2.The Commissioner,
Department of Government Information
data centre,
Guindy, Chennai - 600 025.

3.The Director,
Directorate of School Education,
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4.The District Elementary Educational Officer,
O/o.District Elementary Education,
Ramanathapuram - 623 501.

5.The Additional Assistant Elementary Educational
Officer,
O/o. Additional Assistant Elementary Education,
Mudukulathur - 623 704. Ramanad District.

+ 1 cc to Ms.V. Alamelu, Advocate SR.65205

W.P.No.38283 of 2015

JSV(CO)
Eu 21.12.15

सत्यमेव जयते

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