



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:26.02.2015

CORAM:

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P. (MD) No.2551 of 2015

and

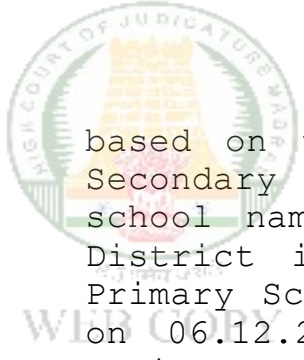
MP (MD) No.1 of 2015

R.Arockiamary,
Secondary Grade Teacher,
Panchayat Union Primary School,
Sadayampatti, Vaiyampatty Union,
Trichy District. ... Petitioner

Vs.

- 1.The Accountant General,
Office of the Accountant General,
Chennai, Tamilnadu,
261, Annasalai, Chennai - 600018.
- 2.The State of Tamil Nadu,
Rep. by its Secretary,
Department of Finance (Pension),
Fort St. George, Chennai - 600 009.
- 3.The Director of Elementary Education,
College Road, Chennai - 600 006.
- 4.The District Elementary Educational Officer,
Trichy, Trichy District.
- 5.The Additional Assistant Elementary
Educational Officer, Vaiyampatty,
Trichy District.
- 6.The Correspondent,
RC Amalarackini Middle School,
Kulithalai, Karur District.
- 7.The Headmistress,
Panchayat Union Primary School,
Sadayampatti, Vaiyampatty Union,
Trichy District. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the
<https://hcservices.ecourts.gov.in/hcservices/>
Constitution of India, to issue a Writ of Mandamus directing the
respondents to place the petitioner under the Old Pension Scheme



based on the initial date of appointment of the petitioner as Secondary Grade Teacher on 21.11.2001 in the sixth respondent school namely, RC Amalarackini Middle School, Kulithalai, Karur District including the petitioner's joining in Panchayat Union Primary School, A.Seethapatty, Vaiyampatty Union, Trichy District on 06.12.2006 and subsequent entire service periods till her retirement.

For Petitioner : M/s.S.Xavier Rajini

For R-1 : Mr.P.Gunasekaran

For R-2 to R-5 & R-7: Mr.V.Muruganandam,
Additional Government Pleader

O R D E R

Mr.P.Gunasekaran, learned counsel takes notice for the first respondent and Mr.V.Muruganandam, learned Additional Government Pleader takes notice for the respondents 2 to 5 and 7.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3. The petitioner seeks for a direction to the respondents to place the petitioner under the Old Pension Scheme based on the initial date of her appointment as Secondary Grade Teacher on 21.11.2001 in the sixth respondent school namely, RC Amalarackini Middle School, Kulithalai, Karur District including the petitioner's joining in Panchayat Union Primary School, A.Seethapatty, Vaiyampatty Union, Trichy District on 06.12.2006 and subsequent entire service periods till her retirement.

4.It is seen that the grievance of the petitioner is that she should be placed under the Old Pension Scheme based on her initial appointment as Secondary Grade Teacher in the sixth respondent school. Whether the petitioner is to be brought under the Old Pension Scheme or under the new Pension Scheme, is for the respondents more particularly the respondents 1 to 3 to consider and decide. Therefore, this Court is not expressing any view on the claim made by the petitioner. However, the petitioner has already given a representation to those respondents on 17.03.2014. Therefore, this Court only directs the respondents 1 to 3 to consider the said representation and pass orders on the same on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.



With the above direction, this Writ Petition is disposed of.
No Costs. Consequently, connected M.P(MD)No.1 of 2015 is closed.

Sd/-

Assistant Registrar(T & P)

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/True Copy/

Sub-Assistant Registrar

To

1.The Accountant General, Office of the Accountant General,
Chennai, Tamilnadu, 261, Annasalai, Chennai - 600018.

2.The Secretary, Department of Finance (Pension),
State of Tamil Nadu, Fort St. George, Chennai - 600 009.

3.The Director of Elementary Education,
College Road, Chennai - 600 006.

4.The District Elementary Educational Officer,
Trichy, Trichy District.

5.The Additional Assistant Elementary Educational Officer,
Vaiyampatty, Trichy District.

6.The Headmistress, Panchayat Union Primary School,
Sadayampatti, Vaiyampatty Union, Trichy District.

+1cc to Mr.P.Gunasekaran, Advocate, in SR. No.9092.

+1cc to Special Government Pleader, in SR No.9454.

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