



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2016

CORAM

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD) Nos.17807 of 2016

T.Natarajan

... Petitioner

-vs-

1.The Director General of Police,  
Chennai.

2.The Superintendent of Police,  
Madurai.

3.The Superintendent of Prisons,  
Coimbatore.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus thereby direct the respondents to consider the petitioner's representation dated 31.08.2016 and declare him as eligible to entitle and continue the benefits under the Old Pension Scheme.

|                 |                                                 |
|-----------------|-------------------------------------------------|
| For Petitioner  | : Mr.P.Ganapathi Subramanian                    |
| For Respondents | : Mr.M.Alagadevan<br>Special Government Pleader |

O R D E R

This writ petition has been filed for the issuance of a writ of mandamus, to direct the respondents to consider the petitioner's representation dated 31.08.2016 and declare him as eligible to the entitlement of the benefits under the Old Pension Scheme.

2.Heard Mr.P.Ganapathi Subramanian, learned counsel appearing for the petitioner and Mr.M.Alagadevan, learned Special Government Pleader, who takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal at the admission stage.

3.The case of the petitioner is that he was appointed as II Grade Constable in Prison Department, Coimbatore on 15.04.2002. Subsequently, he was applied for the post of II Grade Constable in the police Department and on selection, he resigned his job and joined in the Tamil Nadu Special Police on 30.11.2013. After



joining the petitioner in Police Department, new pension scheme has been introduced. Hence, the petitioner has submitted a representation dated 31.08.2016 to the respondents to get the benefits under the old pension scheme. As the same has not been considered so far, the petitioner is before this Court.

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5.The learned counsel for the petitioner submitted that only because of compulsive circumstances, he was forced to resign from the previous post and as 'no objection certificate' which was applied by him was not granted by the Prison Department, he is deprived of availing the benefit available under old pension scheme. Therefore, the representation of the petitioner could be considered positively.

4.The learned Special Government Pleader appearing for the respondents is agreeable to consider the representation of the petitioner dated 31.08.2016.

6.Under the stated circumstances, the second respondent is directed to consider the representation submitted by the petitioner on 31.08.2016 and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7.The Writ Petition is disposed of with the above direction. No costs.

Sd/  
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar.

To

1.The Director General of Police,  
Chennai.

2.The Superintendent of Police,  
Madurai.

3.The Superintendent of Prisons,  
Coimbatore.

+1CC to M/S.P.Ganapathi Subramanian, Advocate, SR.No. 54393  
+1CC to the Special Government Pleader, SR.No. 54689

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