



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2016

CORAM:

WEB COPY THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P(MD) No.2007 of 2016

M.Gurusamy

...Petitioner

Vs.

1.The Commissioner,
Government Data Centre,
Guindy,
Chennai - 600 025.

2.The District Elementary Educational Officer,
Ramanathapuram District.

3.The Assistant Elementary Educational Officer,
Kadaladi Union,
Ramanathapuram District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to permit the petitioner to continue in the old pension scheme as per the Teachers Provident Fund No.652143 by considering the petitioner's representation, dated 16.03.2015 with all consequential benefits.

For Petitioner : Mr.V.Panneer Selvam

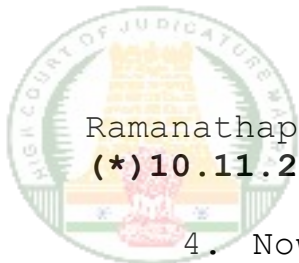
For Respondents : Mr.Aayiram K.Selvakumar
Government Advocate

ORDER

Mr.Ayiram K.Selvakumar, learned Government Advocate takes notice for the respondents.

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

3. The case of the petitioner is that the petitioner originally had registered with the employment exchange for the Post of Secondary Grade Teacher. In the meanwhile, he was recruited under the Tamil Nadu Uniform Service Recruitment Board as a Police Constable and joined service on 24.05.1999. He was also allotted General Provident Fund Account No.190776. While so, he by virtue of his seniority participated for the post of Secondary Grade Teacher and was appointed in the Panchayat Union Elementary School, Chithudaiyan, Kadaladi Union,



Ramanathapuram and was relieved from the Police Department on
(*)10.11.2004.

4. Now the grievance of the petitioner is that as he was a subscriber in Tamil Nadu Teacher Provident Fund, he was assigned with P.F.No.652143 and old provident fund number assigned to him, when he was constable was cancelled. According to the petitioner, he may be permitted to continue in the old pension scheme as per the Tamil Nadu Teacher Provident Fund Account No.652143 by considering his representation, dated 16.03.2015. It is further stated that in similar circumstances, this Court has allowed the Writ Petition in W.P(MD)No.4577 of 2008, dated 12.11.2014 and based on which, the petitioner may be permitted to continue in the old pension scheme.

5. In view of the same, the respondents are directed to consider the representation of the petitioner, dated 16.03.2015 and pass orders on the same in the light of the order passed in W.P(MD)No.4577 of 2008, dated 12.11.2014. Such exercise shall be completed within a period of six weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of.
No Costs.

Sd/-

Assistant Registrar(AS)

(*)Corrected as per order dated.07.04.2016

and made in WP(MD)Nos.2007 & 2008/2016

Sd/-

Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar(CS)

To

(*)To be substituted order already despatched on 11.02.2016

1.The Commissioner, Government Data Centre,
Guindy, Chennai - 600 025.

2.The District Elementary Educational Officer,
Ramanathapuram District.

3.The Assistant Elementary Educational Officer,
Kadaladi Union, Ramanathapuram District.

+1 cc to Mr.V.Panneer Selvam,Advocate, SR No.6377

+1 cc to Special Government Pleader SR No. 6597

W.P(MD)No.2007 of 2016
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