

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2018

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.2930 of 2011
and M.P.No.2 of 2011

1. K.Peroumal
2. R. Arumugam
3. R.Pattabiraman
4. D.Jayakumar
5. S.Ramalingam
6. C.Sankar
7. M.Pachayappan
8. G.Punnamoorthy
9. P.Sandirane
10. S.Vairakkannu
11. G.Koumar
12. A.Oudayaradja
13. L.Ambert Joseph
14. S.Karunakaran
15. V.Thirumaran
16. K.Karunanithi
17. S.Govindaradjou
18. V.Soupramanian
19. C.Essoudasse
20. P.Pannirselvam
21. K.Raguraman @ Ramachandirane
22. S.Viswanathan
23. B.Krishnaraj
24. M.Djeasankar
25. A.Sivaprakash
26. N.Umasankar

.. Petitioners

सत्यमेव जयते
Vs.

1. The Director of Accounts and Treasuries,
Government of Puducherry, Puducherry.
2. The Secretary,
Legislative Assembly Secretariat,
Puducherry.
3. The Editor of Debates,
Legislative Assembly Secretariat,
Puducherry.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus to call for the records relating to the impugned order of the first respondent in No.85404/DAT/NPS/2010/313, dated 30.07.2010 and quash the same and direct the respondents to refrain from operating the New Pension Scheme to the petitioners and consequently direct the respondents to grant the benefit of Old Pension Scheme to them and to deduct GPF subscription on par with other Government Employees on the basis of the past service rendered by them.

For Petitioner : Mr.P.Rajendran

For 1st to 3rd
Respondents : Mr.B.Balavijayan
Government Advocate (P)

ORDER

The present Writ Petition has been filed for issuance of Writ of Mandamus to call for the records relating to the impugned order of the first respondent in No.85404/DAT/NPS/2010/313, dated 30.07.2010 and quash the same and direct the respondents to refrain from operating the New Pension Scheme to the petitioners and consequently direct the respondents to grant the benefit of Old Pension Scheme to them and to deduct GPF subscription on par with other Government Employees on the basis of the past service rendered by them.

2. The learned Government Advocate appearing for the respondents has fairly submitted before this Court by relying upon the communication letter dated 17.11.2018 issued by the Government of Puducherry, Directorate of Accounts and Treasuries, wherein, it has been stated that Directorate is inclined to accept decisions taken by the High Court, in similar cases. Therefore, in similar cases, the Department has considered and granted relief to the petitioners in view of regularizing the petitioners as temporary staff of the Department concerned.

3. Recording the aforesaid communication, the impugned order passed by the first respondent in No.85404/DAT/NPS/2010/313, dated 30.07.2010 is quashed and directed to consider the petitioner's request to grant the benefit of old pension scheme in the light of the written communication dated 17.11.2018 placed before this Court and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

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To

1. The Director of Accounts and Treasuries,
Government of Puducherry, Puducherry.
2. The Secretary,
Legislative Assembly Secretariat,
Puducherry.
3. The Editor of Debates,
Legislative Assembly Secretariat,
Puducherry.

+1cc to Mr.P.Rajendran, Advocate SR.No.79287

+1cc to Government Pleader SR.No.79262

W.P.No.2930 of 2011
and M.P.No.2 of 2011

RK(CO)
GMY(13/12/2018)

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