

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :26.11.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No.23586 of 2019

A.Durairaj

..Petitioner

vs

1.The Principal Chief Conservator of Forest
Panagal Buildings,
Saidapet, Chennai-15

2.The District Forest Officer,
Dindigul Division,
Dindigul.

3.The Principal Accountant General (A&E)
of Tamil Nadu,
Tamil Nadu, Chennai-600 018

: Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to reimburse the Contributory Pension Scheme (CPS) amount deducted from the petitioner's salary based on his representation dated 05.07.2019.

For Petitioner : Mr.Selvam.M
For Respondents : Mr.Elumalai
Government Advocate

ORDER

Writ Petition is filed for issuance of a Writ of Mandamus to direct the respondents to reimburse the Contributory Pension Scheme (CPS) amount deducted from the petitioner's salary based on his representation dated 05.07.2019.

2.The petitioner was appointed as Social Forestry Worker in Thuiruvannamalai District, in the year 01.01.1979 and retired from his service on 31.05.2014. The petitioner 's service was regularized from the year 2007 and contribution was regularly deducted from his salary. The petitioner is entitled to reimbursement of the Contributory Pension Scheme (CPS) amount deducted from the petitioner's salary. The petitioner made a representation to the respondents to reimburse the CPS. However, till date the representation was not considered. Hence, the Writ Petition.

3.Mr.M.Elumalai, learned Government Advocate, appearing for the respondents filed a counter affidavit and relied on para 4 which reads as follows:

4.The petitioner retired on 31.05.2014 and pension proposal has been submitted to AG officer vide this office letter No.4929/2014/E3 dated: 24.07.2017. AG orders received vide this ref.no.P21/12117916/4/R2117916 dated 04.09.2017 and Pensionary Benefit are settled. And Cps final Settlement proposal sent to the Principal Secretary/Commissioner, CPS Cell, Government Data Centre vide this office No.8016/2019/E5 dated 21.08.2019 and CPS order received from Principal Secretary/Commissioner, CPS cell, Government Data Centre vide RC.No.6018/B-547/CPS/2019 dated:16.10.2019. The CPS amount will be settled soon.

4.Mr.Selvam.M learned counsel appearing for the respondents conceded the request made by the learned counsel for the petitioner.

5. Considering the facts and circumstances of the case and in view of the limited prayer sought for by the petitioner, I am inclined to issue a direction to the respondents to implement para 4 of the draft counter and take steps to consider the petitioner's representation dated 05.07.2019 and dispose of the same on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

6.Accordingly, the Writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-)

// True Copy//

Sub Assistant Registrar

vsn

To

1.The Principal Chief Conservator of Forest
Panagal Buildings,
Saidapet, Chennai-15

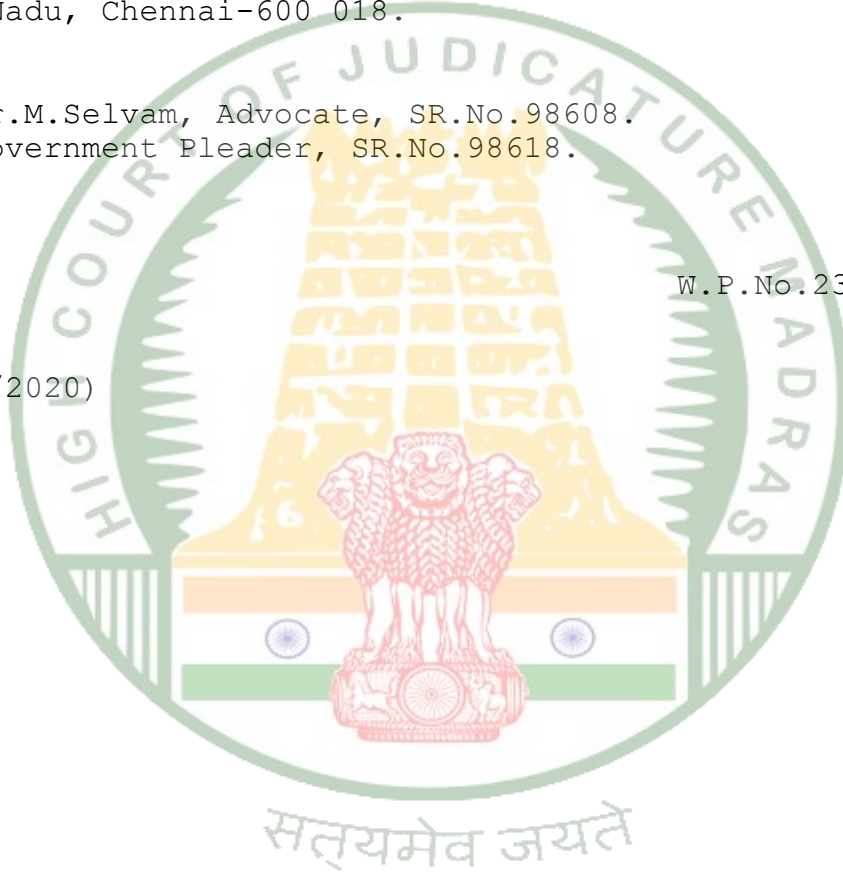
2.The District Forest Officer,
Dindigul Division,
Dindigul.

3.The Principal Accountant General (A&E)
of Tamil Nadu,
Tamil Nadu, Chennai-600 018.

+1cc to Mr.M.Selvam, Advocate, SR.No.98608.
+1cc to Government Pleader, SR.No.98618.

W.P.No.23586 of 2019

CP (CO)
CSR(06/01/2020)



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