



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.16232 of 2019

X.Arockianathan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary,
Finance Department (Pay),
Secretariat, Fort St. George,
Chennai - 09.

2.The Commissioner,
Government Data Centre,
Guindy,
Chennai - 25.

3.The Director of School Education,
Directorate of School Education,
College Road,
Chennai - 625 006.

4.The Chief Educational Officer,
Sivagangai,
Sivagangai District.

5.The District Educational Officer,
Thirupathur,
Sivagangai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to enroll the petitioner in the old pension scheme, by taking note of the petitioner's first appointment dated 19.09.2001 as Secondary Grade Teacher in St. Joseph's Middle School (Aided Minority School) in Sarugani, Devakottai Education District, Sivagangai District, within a time frame to be fixed by this Court.

For Petitioner : Mr.S.Louis

For Respondents : Mrs.S.Srimathy
Special Government Pleader



ORDER

This Writ Petition has been filed seeking a direction to the respondents to enroll the petitioner in the old pension scheme, by taking note of the petitioner's first appointment dated 19.09.2001 as Secondary Grade Teacher in St. Joseph's Middle School (Aided Minority School) in Sarugani, Devakottai Education District, Sivagangai District, within a time frame to be fixed by this Court.

2. According to the petitioner, initially, he was appointed as Secondary Grade Teacher on 19.09.2001 in St. Joseph's Middle School, Sarugani, Devakottai Education District, Sivagangai District and thereafter, on 13.10.2004, he was selected through District Employment Office as Secondary Grade Teacher and was posted at Panchayat Union Primary School, Kattukudipatti, S.Pudur Block and thereafter, he was promoted as B.T. Assistant (English). Since he joined Government service without any break, after working the private aided School, the continuation of old pension scheme alone was delayed. Therefore, the petitioner has sent several representations to the respondents to permit him to continue the old pension scheme. But, the same has not been considered so far. Hence, the present Writ Petition.

3. The learned Special Government Pleader appearing for the respondents submitted that the first respondent would consider the petitioner's representation and pass orders within a time frame to be fixed by this Court.

4. Recording the above said submission made by the learned Special Government Pleader appearing for the respondents, without going into the merits of the case, this Court directs the first respondent to consider the petitioner's representation dated 22.06.2019 and pass appropriate orders on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of, with the above direction. No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government of Tamil Nadu,
Finance Department (Pay),
Secretariat, Fort St. George,
Chennai - 09.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Commissioner,
Government Data Centre,
Guindy,
Chennai - 25.

3.The Director of School Education,
Directorate of School Education,
College Road,
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4.The Chief Educational Officer,
Sivagangai,
Sivagangai District.

5.The District Educational Officer,
Thirupathur,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-82415[F] dated 20/08/2019)

+1 CC to M/s.S.LOUIS, Advocate (SR-82634[F] dated 21/08/2019)

W.P. (MD) No.16232 of 2019
19.08.2019

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MS/05.09.2019/3P.8C