



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :29.10.2020

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THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

W.P. (MD) No.14838 of 2020

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...Petitioner

Vs

1. The Secretary to Government,
(School Education Department),
Secretariat, Fort St.George,
Chennai.
2. The Additional Director (NPS),
Commissionerate of Treasuries and Accounts,
Guindy, Chennai 600 025.
3. The Chief Educational Officer,
Madurai,
Madurai District.
4. The Assistant Treasury Officer,
The Sub Treasury Office,
Madurai North,
Madurai District.
5. The Headmaster,
Government Higher Secondary School,
Samayanallur,
Madurai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to sanction and disburse contributory pension scheme amount for the period from March 2018 to May 2018, Special Provident fund and revised scale of pay payable to the petitioner, by considering the representation of the petitioner dated 03.09.2019 within a stipulated time fixed by this Court.

For Petitioner : Mr.S.C.Herold Singh
For Respondents : Mr.N.Shanmugaselvan
Additional Government Pleader



ORDER

This Writ Petition is filed to direct the respondents to sanction and disburse the contributory pension scheme amount for the period from March 2018 to May 2018, Special Provident Fund and the revised scale of pay payable to the petitioner.

2.By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

3.According to the petitioner, he was working as PG Assistant in the Kallar Higher Secondary School, Ayyappaanaickanpatty and on attaining the age of superannuation, he retired from service on 31.05.2018. Thereafter, the 2nd respondent, by proceedings dated 09.04.2019, has sanctioned a sum of Rs.11,82,284/- towards contributory pension scheme amount and the same has also been received by the petitioner. However, the 2nd respondent has not paid the contributory pension scheme amount of Rs.1,25,066/- for the period from March 2018 to May 2018, which is payable to the petitioner along with interest. In this regard, though the petitioner has made representations dated 03.09.2019 and 17.10.2019 before the respondents, so far no action has been taken. Hence, the petitions is before this Court for the relief stated supra.

4.The learned Additional Government Pleader appearing for the respondents would submit that the 5th respondent has already forwarded the petitioner's representation dated 17.10.2019 to the 3rd respondent for passing appropriate orders. He would further submit that the petitioner's representation dated 17.10.2019, would be considered on merits and in accordance with law by the 3rd respondent, within a time frame to be fixed by this Court.

5.In view of the submission made by the learned Additional Government Pleader, this Court directs the 3rd respondent to consider the petitioner's representation dated 17.10.2019 and pass appropriate orders on merits and in accordance with law, by taking into consideration of the proposal forwarded by the 5th respondent, within a period of four weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

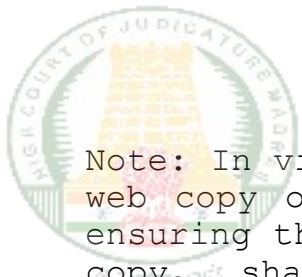
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Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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To

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