

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.02.2021

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

AND

THE HONOURABLE MR. JUSTICE A.A.NAKKIRAN

WP.No.1810/2021 & WMP.No.2021/2021

**[Video Conferencing]**

1.The Commissioner  
Kendriya Vidyalaya Sangathan  
Head Quarters, 18, Institutional Area,  
Shahid Jeetsingh Marg  
New Delhi 110 016.

2.Deputy Commissioner  
Kendriya Vidyalaya Sangathan  
Chennai Region, IIT Campus  
Chennai – 600 036.

.. Petitioners

Versus

1.R.Nallappan  
2.The Registrar  
Central Administrative Tribunal  
Madras Bench, City Civil Court Buildings  
Chennai-104.

.. Respondents

**Prayer:-** Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari calling for the records of

the 2<sup>nd</sup> respondent [Hon'ble Central Administrative Tribunal, Madras Bench] culminating in the impugned order dated 03.06.2020 in OA.No.1384 of 2019 and quash the same.

For Petitioners : Mr.M.Vaidhiyanathan  
For R1 : Mr.R.Arumugam  
R2 : Tribunal

ORDER

**[Order of the Court was made by M.SATHYANARAYANAN, J.]**

- (1)By consent, the writ petition is taken up for final disposal and is disposed of by this order.
- (2)Mr.R.Arumugam, learned counsel accepts notice on behalf of the 1<sup>st</sup> respondent.
- (3)The 1<sup>st</sup> respondent/Original Applicant filed OA.No.1384 of 2019 praying for calling of the records relating to the impugned order dated 25.09.2019 passed by the 1<sup>st</sup> petitioner herein and to declare the order of the 1<sup>st</sup> petitioner dated 25.09.2019, as illegal, arbitrary and discriminatory and to quash the same and to further declare that after joining services of the respondents therein/petitioners herein, as Principal on direct recruitment basis vide 1<sup>st</sup> petitioner's Appointment Order dated 17.07.2002, the 1<sup>st</sup> respondent/Original Applicant is

entitled to be extended the benefits of GPF-Pension Scheme with all consequential benefits.

(4)The said Original Application along with OA.Nos.1249, 702, 1076, 1139, 1140, 1249, 1141 and 1668/2019 and 1/2020, came to be disposed of with certain directions and it is relevant to extract the same:-

*"1.The respondents are directed to grant the benefits of GPF [Pension] Scheme to the applicants in the above OAs, wef., the date of appointment to their respective posts or from dates on deemed coming over to the GPF scheme.*

*2.The applicants are directed to refund the amount received from CPF, if any, at the time of their retirement without any interest. It is also made clear that the applicants are also not entitled to get any interest on the pension accrued from KVS.*

*3.The respondents are directed to complete the exercise of implementing the above order within a period of six months from the date of receipt of a copy of this order."*

(5)Mr.M.Vaidhiyanathan, learned counsel for the petitioners has fairly

brought to the knowledge of this Court that WP.No.18758/2020 has been filed against the order passed in Oa.No.1668/2019 also and this Court, vide final orders dated 15.12.2020, has dismissed the said writ petition, confirming the order passed by the 2<sup>nd</sup> respondent-Tribunal and granted time to comply with the direction issued by the Tribunal and in the light of the same, this Court may pass appropriate orders.

(6) Mr.R.Arumugam, learned counsel for the 1<sup>st</sup> respondent would submit that in the light of the dismissal of various writ petitions, challenging similar orders, this writ petition also deserves dismissal.

(7) This Court has considered the rival submissions and also perused the materials placed before it.

(8) In the light of the dismissal of WP.No.18758/2020 and other connected writ petitions, this Court is of the considered view that this writ petition lacks merit and deserves dismissal.

(9) Accordingly, the writ petition stands dismissed confirming the order dated 03.06.2020 made in OA.No.1384/2020 by the 2<sup>nd</sup> respondent/Tribunal and the petitioners are granted six months time from the date of receipt of a copy of this order / uploading of the order in the website to comply with the directions issued by the Tribunal in the impugned order as confirmed in this writ petition. No costs.

Consequently, the connected miscellaneous petition is closed.

[MSNJ] [AANJ]  
01.02.2021

AP

Internet: Yes

To

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A.A.NAKKIRAN, J.,

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