



W.P.No.29840 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2023

CORAM

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.29840 of 2010
and M.P.No.1 of 2010

A.Prabhakar

... Petitioner

-VS-

- 1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Finance (Pension) Department,
Fort St. George, Chennai - 9.
- 2.The Director of Elementary Education
College Road, Chennai - 6.
- 3.The District Elementary Educational Officer
Tanjore District.
- 4.The Assistant Elementary Educational Officer
Thiruvudaimarudur,
Tanjore District.
- 5.The Secretary,
Ramakrishna Aided Middle School,
Nachaiar Koil,
Tanjore District 612 602.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India,



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pleased to issue a Writ of declaration, declaring the New Contributory Provident Fund Scheme in G.O.Ms.No.259, Finance (Pension) Department dated 06.08.2003 and subsequent G.O.Ms.No.304 dated 27.05.2004 is not applicable to the petitioner because it cannot be given retrospective operation and direct the respondents to restore the Teachers Provident Fund (Family Pension) Scheme and Account No.339101.

For Petitioner : Mr.S.N.Ravichandran

For Respondents : Mr.T.K.Saravanan,
1, 3, 4 Government Advocate

For Respondent : Mr.K.Sathish Kumar
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ORDER

This writ petition filed to declaring the New Contributory Provident Fund Scheme in G.O.Ms.No.259, Finance (Pension) Department dated 06.08.2003 and subsequent G.O.Ms.No.304 dated 27.05.2004 is not applicable to the petitioner because it cannot be given retrospective



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operation and direct the respondents to restore the Teachers Provident Fund (Family Pension) Scheme and Account No.339101.

2. Learned counsel for the petitioner submitted that the petitioner has passed away, is the writ petition has become abated.

3. In view of the above submission, this writ petition is dismissed as abated with the liberty to the petitioner to reopen the same when the need arises in the manner known to law. No costs. Consequently, the connected M.P.No.1 of 2010 is closed.

20.03.2023

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Index : Yes / No

Internet : Yes / No

To

1.The Secretary to Government,
Finance (Pension) Department,
Fort St. George, Chennai - 9.

2.The Director of Elementary Education
College Road, Chennai - 6.

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3.The District Elementary Educational Officer
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