



WEB COPY



WP.No.25962 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2023

CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P No.25962 of 2021

S.Premchand

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Petitioner

/vs/

1. State of Tamil Nadu

Rep. by its Secretary to Government,
Department of Higher Education,
Fort St. George, Chennai-600 009.

2. The Registrar,

Anna University,
Guindy, Chennai-25.

3. Anna University,

Regional Centre,
Rep. by its Regional Director
Veerapandi Pirivu,
Coimbatore-47

...

Respondents

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of MANDAMUS, directing the respondents to disburse the petitioner's Contributory Pension amount for the service rendered in the 3rd respondent (Anna University Regional Campus, Coimbatore) for the period 30.10.2008 to 27.05.2013 payable to him with an interest of 12% per



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annum from the date of the acceptance of petitioner's resignation, i.e. 27.05.2013 till the date of payment.

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For Petitioner : Mr.N.Kavitha Rameshwar

For Respondents : Mr.T.Chezhiyan,
Additional Government Pleader for R1
: Mr.Avinash Wadhwani for RR2& 3

ORDER

The limited prayer of this petitioner is to give a direction to the respondents to disburse the petitioner's contribution amount for the services rendered by him in the 3rd respondent for period between 30.10.2008 to 27.05.2013 with interest.

2. Heard, Mr. Mr.N.Kavitha Rameshwar, learned counsel for the petitioner and Mr.T.Chezhiyan, learned Additional Government Pleader for the respondents and perused the materials available on record.

3. In the earlier, the petitioner had filed a writ petition in WP.No.27735/2014 by seeking direction to relieve him with effect from 27.05.2013 as per the earlier relieving order issued in his favour. According to the petitioner, the relieving order given to him by relieving him with effect from 27.05.2013 on accepting his resignation, was withdrawn and subsequently, the petitioner was relieved from duty with effect from 05.08.2013. Since the petitioner had already joined elsewhere, he challenged the above order and in



which directions have been given to pass a fresh relieving order.

4. However, in the said order it is observed that no prejudice would be caused to the respondents to permit the petitioner to relieve from duty with effect from 27.05.2013. Accordingly the petitioner was given with relieving order from 27.05.2013. In the earlier writ petition itself the petitioner had sought the relief for directing the respondents to pay his contribution pension amount. But the said relief was not dealt and no orders seems to have been passed in respect of the same. However, the petitioner was directed to give his representation.

5. Even though the petitioner has given his representation so far the 2nd respondent has not considered and passed orders to disburse the contribution pension scheme amount accrued in his account while he was working with the second respondent. Since there cannot be any reason to withhold the contribution pension scheme amount which is due to be paid to the employee on his retirement, resignation / removal, the 2nd respondent is directed to consider the earlier representation of the petitioner and pass orders to disburse the Contribution Pension amount within a period of four weeks from the date of receipt of copy of the order.



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R.N.MANJULA, J.
jrs

WEB COPY With the above direction, this Writ petition is **disposed**. No costs.

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Index : Yes
Internet : Yes/No
jrs

To

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