



WEB COPY



W.P.No.28105 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.28105 of 2023

N.Latha

.. Petitioner

Versus

1.The State of Tamil Nadu
Rep by its Secretary to Government
Education Department
Chennai – 600 009

2.The Joint Director of School Education
DPI Complex, Chennai – 600 006

3.The Chief Educational Officer
Ammappettai, Thanjavur District

4.The Headmaster
Government Higher Secondary School
Pannaiyapuram – 605 701

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to admit the petitioner in the old pension scheme, by taking into account of the fact that the recruitment process was started by the Teachers Recruitment Board vide Notification No.4/2002/2 dated 09.02.2002 which was issued prior to implementation of the Contributory Pension Scheme (CPS) vide G.O.Ms.No.259, Finance (Pension) Department dated 06.08.2003.

For Petitioner	: Mr.S.N.Ravichandran
For Respondents	: Mr.M.Alagu Goutham Government Advocate



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ORDER

This writ petition has been filed seeking for a direction to the respondents to admit the petitioner in the old pension scheme, by taking into account of the fact that the recruitment process was started by the Teachers Recruitment Board vide Notification No.4/2002/2 dated 09.02.2002 which was issued prior to implementation of the Contributory Pension Scheme (CPS) vide G.O.Ms.No.259, Finance (Pension) Department dated 06.08.2003.

2. It is the grievance of the writ petitioner that she has been selected in the notification issued in Notification No.4/2002/2 dated 09.02.2002 and she has been called for certificate verification on 04.03.2003, thereafter, she has been asked to produce the community certificate of her husband. Hence, intimation was issued to her selection on 29.05.2003 and the appointment order is issued on 02.12.2003. Hence, it is the contention of the petitioner that she has to be included in the Old Pension Scheme. In this regard, she has given a representation on 15.02.2023, which is pending without consideration. Hence, seeks a direction.



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3. Considering the limited relief sought for in this writ petition, this

Court directs the respondent to consider the representation of the petitioner dated 15.02.2023 and pass appropriate orders on its own merits and in accordance with law within a period of three months from the date of receipt of a copy of this Order.

4. Accordingly, this writ petition stands disposed of. No costs.

27.09.2023

dhk

Internet: Yes/No

Index : Yes/No

Neutral Citation : Yes/No

To

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