



W.P(MD)No.5149 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5149 of 2023

V.Periyakaruppan

... Petitioner

Vs.

1.The Director of Fire & Rescue Service,
Egmore,
Chennai – 600 008.

2.The Deputy Director of Fire & Rescue Services,
West Zone, Comibatore,
Coimbatore District.

3.The District Officer,
Fire & Rescue Services,
Dindigul District,
Dindigul.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondent No.3 to include the petitioner in the Old Pension Scheme by considering the representation of the petitioner dated 13.02.2023 within the time period stipulated by this Court.



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For Petitioner : Mr.T.Aswin Rajasimman,
For M/s.Lajapathi Roy and Associates.

For Respondents : Mr.G.Suriyananth,
Addl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.All that the petitioner wants is disposal of the petition mentioned representation. My attention is drawn to the order dated 20.10.2021 made in W.P.No.22061 of 2021 (K.Paneer Selvam Vs. State of Tamil Nadu). The said writ petition was disposed of as follows:-

“Mr.L.S.M.Hasan Fizal, learned Government Advocate takes notice on behalf of the respondents and submits that the third respondent will pass appropriate orders on the representation dated 31.08.2021 of the petitioner within a period of twelve weeks from the date of receipt of a copy of this order.

2. Recording the same, this writ petition is disposed by directing the third respondent to consider the representation of the petitioner and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order in



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accordance with law and on merits. The third respondent may also factor the order dated 26.09.2020 passed in favour of one P.Shanmugaraja who appears to be similarly placed person like the petitioner herein. No costs.”

3.Taking into account the aforesaid order, the first respondent is directed to dispose of the petition mentioned representation on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. I make it clear that I have not gone into the merits of the matter. It is open to the first respondent to pass order one way or the other.

4.The writ petition is disposed of accordingly. No costs.

10.03.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Director of Fire & Rescue Service,
Egmore, Chennai – 600 008.
- 2.The Deputy Director of Fire & Rescue Services,
West Zone, Comibatore, Coimbatore District.
- 3.The District Officer, Fire & Rescue Services,
Dindigul District, Dindigul.



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G.R.SWAMINATHAN, J.

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