



W.P(MD)No.17159 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.12.2023**

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.17159 of 2020

P.Selvaraj

... Petitioner

Vs.

Madurai Kamaraj University,
Represented by its Registrar,
Palkalai Nagar,
Madurai-625 021.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records from the respondent in No.MKU/LC/2020, dated 06.07.2020 and quash the same as illegal and consequently direct the respondent to pay pensionary and other retirement benefits to the petitioner by taking into the date of appointment as casual labourer on 24.12.1983 and settle the arrears of pension from the date of superannuation on 30.08.2010 and continue to pay pension under the old Pension Scheme.

For Petitioner : Mr.M.Senthil Kumar

For Respondent : Mr.T.Sakthi Kumaran



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ORDER

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The present writ petition has been filed by a Sweeper of the respondent University challenging the order passed by the respondent wherein the request for permitting him to be a member of the Old Pension Scheme has been rejected.

2. The order impugned in the writ petition has been passed on 06.07.2020. Thereafter, on 18.10.2023, another order has been passed by the respondent University wherein it was declared that he is eligible to count his services from 01.02.2003. In other words, he would be brought under Old Pension Scheme instead of Contributory Pension Scheme. However, the grievance of the writ petitioner is that even if he is brought under the Old Pension Scheme from 01.02.2003 onwards, he will not be having the qualifying service to receive any pension under the Old Pension Scheme.

3. The grievance of the petitioner with regard to the order, dated 18.10.2023 cannot be agitated in the present writ petition. Therefore, the present writ petition is closed granting liberty to the writ petitioner to challenge the order, dated 18.10.2023, if he is so advised.



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4. With the said liberty, this Writ Petition stands closed. No costs.

12.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

The Registrar,
Madurai Kamaraj University,
Palkalai Nagar,
Madurai-625 021.

R.VIJAYAKUMAR,J.



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Order made in
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