



W.P.No.10375 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.12.2024

CORAM

**THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER
KUMAR**

W.P.No.10375 of 2016

and W.M.P.Nos.9158 & 9159 of 2016

All Teachers Association of Tamil Nadu (T.A.T.A)

Rep, by its General Secretary,

Mr.Kipson,

Office at No.235, North Street,

Parapadi, Nanguneri Taluk,

Thirunelveli 627110

...Petitioner

Vs.

1.The State of Tamil Nadu,

Rep., by the Chief Secretary to Government,

Chief Secretariat,

St. Fort. George,

Chennai 600 009.

2.The Secretary to Government,

Education Department,

Secretariat,

St. Fort George,



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Chennai 600 009.

3.The Secretary to Government,
Finance (Pension) Department,
Secretariat,
St. Fort George,
Chennai 600 009.

4.The Director of School Education,
College Road,
Chennai- 600 006.

5.The Accountant General,
Anna Salai, Teynampet,
Chennai 600 018.

6.The Secretary to Government of India,
Ministry of Finance,
Department of Financial Services,
2nd Floor, Jeevandeep Buildings,
Sansad Marg, New Delhi.

7.Pension Fund Regulatory and Development Authority,
1st Floor, ICADR Buildings, Plot No.6,
Vasant Kunj Institutional Area, Phase-II
New Delhi- 110 070



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...Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of mandamus, to direct the respondents 1 to 5 to disburse the pension amount under the contributory pension scheme in respect of the retired/deceased teachers contained in Annexure-I together with eligible interest for the delayed payment.

For Petitioner : M/s.M.Gnanasekar

For Respondents : Mr.K.H.Ravikumar

Government Advocate

ORDER

This writ petition has been filed by Association of Teachers seeking a writ of mandamus directing the respondents 1 to 5 to disburse the pension amount under the contributory pension Scheme in respect of the retired/deceased teachers whose names are mentioned in the Annexure-I appended to the affidavit filed in support of the writ petition.

2.The writ petition has been filed before this Court on 23.02.2016.

When the matter is taken up for consideration, Mr.K.H.Ravikumar, learned Government Advocate, brought to the notice of this Court the fact that the respondent/State had issued G.O.Ms.No.59 Finance (PGC) Department dated



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22.02.2006 providing for settlement of accumulation under Contributory Pension Scheme in respect of CPS subscribers retired / resigned, died and terminated from service.

3.The claim of the petitioner's association is for payment of Contributory Pension Scheme benefits pursuant to the contributions made by the members of the Petitioner's Association. As the present writ petition has been filed without taking note of the above Government orders dated 22.02.2016 and as the said Government Orders provides for a procedure for claiming the benefits of Contributory Provident Fund Scheme, the members of the Petitioner's Association may have to submit the respective application in terms of the procedure provided under the said Government Order dated 22.02.2016. Unless individual claims are made by the persons who retired from service after having contributed to the Contributory Pension Scheme, the claims of the individual petitioner cannot be considered by the respondents.

4. In view of the same, the writ petition is disposed of permitting the members of the petitioner Association to submit individual application



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under in the format prescribed under G.O.Ms.No.59 Finance (PGC) Department, dated 22.02.2016. In case such applications are submitted by the retired employees or the legal heirs of the retired employees, the same shall be considered and processed by the respondents 1 to 6 as expeditiously as possible at any rate within a period of three months from the date of submission of such application by the individual members of the petitioner Association.

5. Accordingly, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

18.12.2024

vsn

To

1. The Chief Secretary to Government,
Chief Secretariat,
St. Fort. George,
Chennai 600 009.

2. The Secretary to Government,
Education Department,
Secretariat,
St. Fort George,

5/7



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Chennai 600 009.

3.The Secretary to Government,
Finance (Pension) Department,
Secretariat,
St. Fort George,
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4.The Director of School Education,
College Road,
Chennai- 600 006.

5.The Accountant General,
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MUMMINENI SUDHEER KUMAR, J.

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