



W.P.No.12917 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2024

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THE HON'BLE **MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

W.P.No.12917 of 2024

R.Nagarajan

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep by Additional Chief Secretary,
Home Courts (VI) Department,
Secretariat, Chennai – 600 009.

2.The Accountant General (Accounts and Entitlement),
No.361, Anna Salai,
Chennai – 600 018.

3.The Deputy Director of Prosecution,
No.165 A, Bharathisalai,
Race Course Road, Madurai Region,
Madurai District – 625 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to disburse pensionary benefits applicable to the petitioner and to pay the monthly pension under the Old Pension Scheme.



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For Petitioner : M/s.R.Vaishali

For Respondents : Mr.Stalin Abimanyu
Additional Government Pleader
for R1
Mr.P.Manorajan
for R2

ORDER

This writ petition is filed for a mandamus to direct the respondents 1 and 2 to disburse the pensionary benefits applicable to the petitioner and to pay the monthly pension under the Old Pension Scheme.

2. When the matter was came up for hearing, both side counsel are at *ad idem* that the issue is covered by the order of this Court in W.P.Nos.19880 and 19882 of 2022 vide order dated 01.03.2024. Operative portion of the said order reads as follows:-

“10. In view of the above, the respondents 1 & 2 are directed to treat the petitioner to be the members of the Tamil Nadu Pension Rules, 1978 for all practical purposes and benefits as members of the Rules, on condition that the petitioners shall refund the employer contribution under the Contributory Pension Scheme with interest at the rate of 12% per annum, within a period of four weeks from the date of receipt of a copy of this order. Thereafter, the respondents 1 & 2 are directed to disburse the pensionary benefits applicable to the petitioners and pay monthly pension under the old pension scheme.”



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WEB COPY 3. Therefore, the present Writ Petition is allowed on the same terms.

No costs.

03.06.2024

Neutral Citation :No
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To
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- 1.The Government of Tamil Nadu,
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Home Courts (VI) Department,
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D.BHARATHA CHAKRAVARTHY, J.

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