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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.32208 of 2024

- 1.K.Jayabal
- 2.T.Thirunavukarasu
- 3.R.Nagaukumar
- 4.S.Marimuthu
- 5.R.Paramasivan
- 6.Murugan
- 7.A.Murugavel
- 8.Ramaraj
- 9.C.M.Venkatachalam
- 10.S.Nagaraj
- 11.Lakshmi
- 12.M.Sivakami
- 13.A.Murugan



14.Marimuthu

15.R.Subramanian

16.Kumarasamy

17.P.Rangasamy

18.R.Babu

19.T.Tamilrasi

20.M.Velmurugan

21.S.Thangaraj

22.M.Srinivasan

23.M.Nagaraj

... Petitioners

Vs.

The Commissioner,
Coimbatore Municipality,
Coimbatore.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to bring the petitioners under the old pension rules in the light of their appointment orders issued in the year 1997 and the judgement of this Court rendered in W.P.No.8584 of 2021 and batch dated 10.02.2023.



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For Petitioners : Mr.V.Vijayashankar

For Respondent : Mr.C.Selvaraj
Additional Government Pleader

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondent to bring the petitioners under the old pension rules in the light of their appointment orders issued in the year 1997 and the judgment of this Court in W.P.No.8584 of 2021 and batch dated 10.02.2023.

2.Heard Mr.V.Vijayashankar, learned counsel appearing on behalf of the petitioner and Mr.C.Selvaraj, learned Additional Government Pleader appearing on behalf of the respondent.

3.The case of the petitioners is that all of them were appointed as Sanitary Workers in the Coimbatore Corporation in the year 1997 on being sponsored by the Employment Exchange and after undergoing a selection process. The services of the petitioners came to be confirmed only in the year 2007. Because



of the belated confirmation, the petitioners were covered under the Contributory Pension Scheme. The petitioners made a representation on 31.08.2024, pointing out to the fact that their appointments were made in 1997 against regular vacancies and therefore, they are entitled to be brought under the Old Pension Scheme. Since, the representation was not considered, the present writ petition has been filed before this Court.

4. Taking into consideration the facts and circumstances of the case and the nature of grievance expressed by the petitioners, there shall be a direction to the petitioners to submit individual representation to the respondent along with all the relevant documents and also a copy of this order. On receipt of the same, it shall be considered by the respondent on its own merits and in accordance with law and in line with the orders passed by this Court in W.P.No.8584 of 2021 etc., batch dated 10.02.2023 and a final decision shall be taken, within a period of eight weeks from the date of receipt of the fresh representation from each of the petitioner.



5.This writ petition is disposed of with the above directions. No Costs.

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Internet : Yes

(2/2)

Index : Yes

Speaking Order / Non Speaking Order
ssr

To

The Commissioner,
Coimbatore Municipality,
Coimbatore.



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N. ANAND VENKATESH, J.

ssr

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