



W.P.(MD)No.16958 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.16958 of 2023

V.Venkatesan

... Petitioner

Vs

- 1.The Principal Secretary to the Government,
Municipal Administration and Water Supply Department,
Secretariat, Fort St. George,
Chennai – 600 009.
- 2.The Principal Secretary to the Government,
Handlooms, Handicrafts, Textiles and Khadi Department,
Secretariat, Fort St. George,
Chennai – 600 009.
- 3.The Chief Executive Officer,
Tamil Nadu Khadi Village Industries Board,
Kuralagam Buildings,
Chennai – 600 018.
- 4.The Assistant Director,
Tamil Nadu Khadi Village Industries Board,
Tirunelveli District.
- 5.The Commissioner of Municipal Administration and
Water Supply Department,
M.R.C.Nagar,
Raja Annamalaipuram,
Chennai – 600 0280



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6.The Commissioner,
Karaikudi Municipality,
Karaikudi,
Sivagangai District.

7.The Commissioner,
Dindigul City Municipal Corporation,
Dindigul.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents No.6 and 7 to allot the petitioner permanent General Provident Fund Account Number, so as to enable the petitioner to avail the benefit under the Old Pension Scheme, which prevailed prior to the implementation of the Contributory Pension Scheme by taking into consideration of his service under the Respondents No.2 to 4 Khadi Board from 18.09.1998 to 05.06.2009 obtaining details of his General Provident Fund Account vide Account No. 4900 along with the accounts thereof from the 4th respondent.

For Petitioner : Mr.N.Balasubramanian

For Respondents : Mr.S.Shaji Bino
Special Government Pleader
for R1, R2 and R5
Mr.Raghvan Gopalan for R3 & R4
Mr.D.Venkatesh
Standing Counsel for R6
Mr.J.Lawrance for R7

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ORDER

The instant writ petition has been filed by a former employee of the third respondent Khadi Board seeking a mandamus as against the respondents for allotment of Permanent General Provident Fund Account Number and other benefits.

2.The petitioner was originally appointed as Junior Assistant in the third respondent board on 28.08.1998. Since he was treated as a surplus employee, he was absorbed in the fifth respondent department i.e., the Commissioner of Municipal Administration and Water Supply Department, with effect from 02.06.2009. As per G.O.Ms.No.152, Handlooms, Handicrafts, Textiles and Khadi(F1) Department, dated 12.07.2012, the petitioner is eligible for pay protection and service protection. His services in the board have to be taken into consideration for conferment of pensionary benefits also. After being absorbed in the fifth respondent department, the petitioner was appointed as Town Planning Inspector in the sixth respondent Municipality from 05.06.2009. Later he was transferred to seventh respondent Municipality in April 2015. The grievance of the petitioner is that his service records have not been forwarded by the third and fourth respondent to the fifth respondent and he has not been



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allotted General Provident Fund Account Number or any other benefits.

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3.Considering the above said facts, the third and fourth respondent herein are directed to send the service records of the writ petitioner to the fifth respondent herein within a period of four weeks from the date of receipt of a copy of this order. On receipt of the same, the fifth respondent is directed to forward the service records to the sixth respondent within a period of eight weeks thereafter. After making entries in the service register, the sixth respondent is directed to further forward the service records to the seventh respondent within a period of four weeks thereafter. The seventh respondent is directed to pass orders on merits and in accordance with law.

4.With the above observations, this writ petition stands disposed of. No costs.

16.08.2024

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



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To

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- 5.The Commissioner of Municipal Administration and
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- 6.The Commissioner,
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Karaikudi,
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- 7.The Commissioner,
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R.VIJAYAKUMAR, J.

RJR

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