



W.A.(MD).No.1516 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.A.(MD).No.1516 of 2024

N.Ragunathan

... Appellant

-VS-

- 1.The Secretary,
The Government of Tamil Nadu,
Finance (Pension) Department,
Fort St. George,
Chennai – 600 009.
- 2.The School Educational Secretary,
Education Department,
Fort St. George,
Chennai – 600 009.
- 3.The Account General (Tamil Nadu),
Office of the Accounts General,
(Accounts & Entitlement, Tamil Nadu),
No.361, Anna Salai,
Chennai – 600 018.
- 4.The Head Mistress,
Government Higher Secondary School,
Palani, Dindigul District.

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, against the order passed by this Court in W.P.(MD)No.2315 of 2024, dated 03.06.2024.



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For Appellants : Mr.N.Mohan
For Respondents 1, 2 & 4 : Mr.S.P.Maharajan
Special Government Pleader
For 3rd Respondent : Mr.P.Gunasekaran

JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

Mr.S.P.Maharajan, learned Special Government Pleader takes notice for the respondents 1, 2 and 4. Mr.P.Gunasekaran, learned counsel takes notice for the 3rd respondent.

2.Aggravated by the rejection of his claim for being placed under the Old Pension Scheme, the appellant is on appeal.

3.As per G.O.Ms.No.259, dated 06.08.2023, New Pension Scheme was implemented from 31.03.2003, that is, to say cut off date for applicability of Old Pension Scheme was 31.03.2003. The petitioner was selected pursuant to a Notification published on 13.09.2003 and was appointed on 25.06.2004 on a consolidated pay. His services were regularized with effect from 28.08.2006. The New Pension Scheme came into force from 01.04.2003. The petitioner having being appointed after 01.04.2003, cannot seek application of Old Pension Scheme.



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4.Hence, we do not find any merit in the Writ Appeal. The Writ Appeal is therefore, fails and it is accordingly, dismissed. The fact that the Social Welfare Department invited willingness from the petitioner will not be a ground for placing him under the Old Pension Scheme, since the Old Pension Scheme was abolished with effect from 01.04.2003. No Costs.

[R.S.M., J.]

[L.V.G., J.]

04.09.2024

NCC :Yes/No

Index :Yes/No

Internet: Yes

Mrn

To

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