



W.P.(MD)No.25338 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.09.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.25338 of 2018

G.Ravikumar

... Petitioner

/Vs./

- 1.The Principal Secretary of Government,
Municipal Administration and Water Supply Department,
St.George Fort, Chennai – 600 009.
- 2.The Director of Town Panchayat,
Town Panchayat Directorate,
Kuralagam, Chennai – 600 102.
- 3.The Assistant Director (Town Panchayats),
District Collectorate, Nagercoil,
Kanyakumari District.
- 4.The Executive Officer,
Killiyoor Town Panchayat,
Tholaiyavattam Post,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents 1 and 2 to consider the representation of the petitioner dated 10.03.2018 in light of



W.P.(MD)No.25338 of 2018

G.O.Ms.No.212 Municipal Administration and Water Supply (TP) Department, dated 13.09.2010 and G.O.Ms.No.142 Municipal Administration and Water Supply (TP) Department, dated 23.09.2015 for granting benefits under old pension scheme (Tamil Nadu Government Employees Pension Scheme).

For Petitioner : Mr.K.P.Krishna Doss

For Respondents : Mr.S.Kameswaran

Government Advocate

ORDER

This writ petition has been filed for a writ of mandamus, seeking for a direction to the respondents 1 and 2 to consider the representation of the petitioner dated 10.03.2018 in the light of G.O.Ms.No.212 Municipal Administration and Water Supply (TP) Department, dated 13.09.2010 and G.O.Ms.No.142 Municipal Administration and Water Supply (TP) Department, dated 23.09.2015 for granting benefits under the old pension scheme (Tamil Nadu Government Employees Pension Scheme).



W.P.(MD)No.25338 of 2018

WEB COPY

2. Even though a positive direction is sought for in this writ petition, the learned counsel appearing for the petitioner would submit that it would suffice if the petitioner is allowed to give a fresh representation to the respondents seeking for the aforementioned relief and a direction is issued to the respondents to consider the same on merits and in accordance with law, within a time frame to be fixed by this Court.

3. The petitioner claims that he is entitled to be paid pension as per the old pension scheme in accordance with the aforesaid Government Orders. However, according to him, despite the same, he has not been granted pension under the old pension scheme.

4. No prejudice will be caused to the respondents, if the petitioner is allowed to give a fresh representation to the respondents seeking for the relief as prayed for in this writ petition and a direction is issued to the respondents to consider the same on merits and in accordance with law, within a time frame to be fixed by this Court.



W.P.(MD)No.25338 of 2018

WEB COPY

5. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the fourth respondent seeking for grant of pension under the old pension scheme, in the light of G.O.Ms.No.212, Municipal Administration and Water Supply Department, dated 13.09.2010 and G.O.Ms.No.142, Municipal Administration and Water Supply Department, dated 23.09.2015, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the fourth respondent shall pass final orders on merits and in accordance with law, within a period of twelve weeks thereafter.

6. With the aforesaid direction, this writ petition is disposed of.

No costs.

12.09.2024

Index : Yes / No
NCC : Yes / No
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W.P.(MD)No.25338 of 2018

WEB COPY

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ABDUL QUDDHOSE, J.

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Order made in
W.P.(MD)No.25338 of 2018

Dated:
12.09.2024