



W.P.NOS.7611, 7612, 7614, 7615, 7617 AND 7618 OF 2025

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2025

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

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W.P.NO.7611 OF 2025

M.Srinivasan
No.3/1, Senkhotuvan Street,
Nandivaram, Guduvancherry,
Chengalpattu District.

... Petitioner

VS.

1.The Secretary to Government
Municipal Administration and
Water Supply Department
Fort St. George, Chennai – 9.

2.The Director of Town Panchayat
M.R.C. Nagar,
Chennai – 28.

3.The Director of Municipal Administration
M.R.C. Nagar,
Chennai – 28.

4.The Commissioner
Nandivaram Guduvancheri Municipality
Chengalpattu District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 25.10.2024 and to pass orders regarding cancellation of enrolment in the newly introduced Contribution Pension Scheme and to bring him under old Pension Scheme and to refund of subscription recovered from him towards New Contributory Pension Scheme as per Rule 11(4) of the Tamil Nadu Pension Rules as amended in G.O.Ms.No.41, Finance (Pension) Department, dated 09.02.2010 and the orders of this Court Full Court Judgment in W.A.No.158 of 2016 dated 03.12.2019 and in the light of the orders of this Court in W.P.No.14132 of 2021 dated 08.07.2021 and consequently Government implemented the above order of this Court in G.O.Ms.No.62, Municipal Administration and Water Supply Department dated 07.02.2024 and to extend the above similar benefits and pass appropriate orders.

For Petitioner	:	Mr.A.Baskaran
For Respondents 1-3	:	Dr.T.Seenivasan Special Government Pleader
For Respondent – 4	:	Mr.P.Srinivasan

W.P.NO.7612 OF 2025

M.Ramesh
No.22, Bajanai Koil Street,
Dr.Ambedkar Nagar,
Nandivaram, Guduvancherry,
Chengalpattu District.

... Petitioner

VS.

1.The Secretary to Government
Municipal Administration and
Water Supply Department
Fort St. George, Chennai – 9.



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2.The Director of Town Panchayat
M.R.C. Nagar,
Chennai – 28.

3.The Director of Municipal Administration
M.R.C. Nagar,
Chennai – 28.

4.The Commissioner
Nandivaram Guduvancheri Municipality
Chengalpattu District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 25.10.2024 and to pass orders regarding cancellation of enrolment in the newly introduced Contribution Pension Scheme and to bring him under old Pension Scheme and to refund of subscription recovered from him towards New Contributory Pension Scheme as per Rule 11(4) of the Tamil Nadu Pension Rules as amended in G.O.Ms.No.41, Finance (Pension) Department, dated 09.02.2010 and the orders of this Court Full Court Judgment in W.A.No.158 of 2016 dated 03.12.2019 and in the light of the orders of this Court in W.P.No.14132 of 2021 dated 08.07.2021 and consequently Government implemented the above order of this Court in G.O.Ms.No.62, Municipal Administration and Water Supply Department dated 07.02.2024 and to extend the above similar benefits and pass appropriate orders.

For Petitioner	:	Mr.A.Baskaran
For Respondents 1-3	:	Dr.T.Seenivasan Special Government Pleader
For Respondent – 4	:	Mr.P.Srinivasan



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WEB COURT **W.P.NO.7614 OF 2025**

R.Palani
Senkani Amman Koil Street,
Nandivaram, Guduvancherry,
Chengalpattu District.

... Petitioner

VS.

1.The Secretary to Government
Municipal Administration and
Water Supply Department
Fort St. George, Chennai – 9.

2.The Director of Town Panchayat
M.R.C. Nagar,
Chennai – 28.

3.The Director of Municipal Administration
M.R.C. Nagar,
Chennai – 28.

4.The Commissioner
Nandivaram Guduvancheri Municipality
Chengalpattu District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 25.10.2024 and to pass orders regarding cancellation of enrolment in the newly introduced Contribution Pension Scheme and to bring him under old Pension Scheme and to refund of subscription recovered from him towards New Contributory Pension Scheme as per Rule 11(4) of the Tamil Nadu Pension Rules as amended in G.O.Ms.No.41, Finance (Pension) Department, dated 09.02.2010 and the orders of this Court Full Court



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Judgment in W.A.No.158 of 2016 dated 03.12.2019 and in the light of the orders of this Court in W.P.No.14132 of 2021 dated 08.07.2021 and consequently Government implemented the above order of this Court in G.O.Ms.No.62, Municipal Administration and Water Supply Department dated 07.02.2024 and to extend the above similar benefits and pass appropriate orders.

For Petitioner	:	Mr.A.Baskaran
For Respondents 1-3	:	Dr.T.Seenivasan Special Government Pleader
For Respondent – 4	:	Mr.P.Srinivasan

W.P.NO.7615 OF 2025

P.Chittibabu

No.21, 3rd Street, Rani Anna Nagar,
Nandivaram, Guduvancherry,
Chengalpattu District.

... Petitioner

VS.

- 1.The Secretary to Government
Municipal Administration and
Water Supply Department
Fort St. George, Chennai – 9.
- 2.The Director of Town Panchayat
M.R.C. Nagar,
Chennai – 28.
- 3.The Director of Municipal Administration
M.R.C. Nagar,
Chennai – 28.



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4.The Commissioner

Nandivaram Guduvancheri Municipality
Chengalpattu District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 25.10.2024 and to pass orders regarding cancellation of enrolment in the newly introduced Contribution Pension Scheme and to bring him under old Pension Scheme and to refund of subscription recovered from him towards New Contributory Pension Scheme as per Rule 11(4) of the Tamil Nadu Pension Rules as amended in G.O.Ms.No.41, Finance (Pension) Department, dated 09.02.2010 and the orders of this Court Full Court Judgment in W.A.No.158 of 2016 dated 03.12.2019 and in the light of the orders of this Court in W.P.No.14132 of 2021 dated 08.07.2021 and consequently Government implemented the above order of this Court in G.O.Ms.No.62, Municipal Administration and Water Supply Department dated 07.02.2024 and to extend the above similar benefits and pass appropriate orders.

For Petitioner : Mr.A.Baskaran

For Respondents 1-3 : Dr.T.Seenivasan
Special Government Pleader

For Respondent – 4 : Mr.P.Srinivasan

W.P.NO.7617 OF 2025

G.Arumugam
Muthumariamman Koil Street,
Nandivaram Valluvar Colony,
Dr.Ambedkar Nagar,
Nandivaram, Guduvancherry,
Chengalpattu District.

... Petitioner

VS.



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1. The Secretary to Government
Municipal Administration and
Water Supply Department
Fort St. George, Chennai – 9.
 2. The Director of Town Panchayat
M.R.C. Nagar,
Chennai – 28.
 3. The Director of Municipal Administration
M.R.C. Nagar,
Chennai – 28.
 4. The Commissioner
Nandivaram Guduvancheri Municipality
Chengalpattu District.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 25.10.2024 and to pass orders regarding cancellation of enrolment in the newly introduced Contribution Pension Scheme and to bring him under old Pension Scheme and to refund of subscription recovered from him towards New Contributory Pension Scheme as per Rule 11(4) of the Tamil Nadu Pension Rules as amended in G.O.Ms.No.41, Finance (Pension) Department, dated 09.02.2010 and the orders of this Court Full Court Judgment in W.A.No.158 of 2016 dated 03.12.2019 and in the light of the orders of this Court in W.P.No.14132 of 2021 dated 08.07.2021 and consequently Government implemented the above order of this Court in G.O.Ms.No.62, Municipal Administration and Water Supply Department dated 07.02.2024 and to extend the above similar benefits and pass appropriate orders.



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For Petitioner : Mr.A.Baskaran
For Respondents 1-3 : Dr.T.Seenivasan
Special Government Pleader
For Respondent – 4 : Mr.P.Srinivasan

W.P.NO.7618 OF 2025

K.Jeevarathinam
No.35, Periyar Ramasamy Street,
Nandivaram, Guduvancherry,
Chengalpattu District.

... Petitioner

VS.

1.The Secretary to Government
Municipal Administration and
Water Supply Department
Fort St. George, Chennai – 9.

2.The Director of Town Panchayat
M.R.C. Nagar,
Chennai – 28.

3.The Director of Municipal Administration
M.R.C. Nagar,
Chennai – 28.

4.The Commissioner
Nandivaram Guduvancheri Municipality
Chengalpattu District.

... Respondents

PRAAYER: Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 25.10.2024 and to pass



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orders regarding cancellation of enrolment in the newly introduced Contribution Pension Scheme and to bring him under old Pension Scheme and to refund of subscription recovered from him towards New Contributory Pension Scheme as per Rule 11(4) of the Tamil Nadu Pension Rules as amended in G.O.Ms.No.41, Finance (Pension) Department, dated 09.02.2010 and the orders of this Court Full Court Judgment in W.A.No.158 of 2016 dated 03.12.2019 and in the light of the orders of this Court in W.P.No.14132 of 2021 dated 08.07.2021 and consequently Government implemented the above order of this Court in G.O.Ms.No.62, Municipal Administration and Water Supply Department dated 07.02.2024 and to extend the above similar benefits and pass appropriate orders.

For Petitioner : Mr.A.Baskaran
For Respondents 1-3 : Dr.T.Seenivasan
Special Government Pleader
For Respondent – 4 : Mr.P.Srinivasan

COMMON ORDER

These writ petitions have been filed in the nature of a Mandamus, seeking a direction against the respondents to consider the representations submitted by each petitioner regarding the cancellation of their enrolment in the newly introduced Contributory Pension Scheme. The petitioners seek to be brought under the Old Pension Scheme and to have the subscription amounts recovered towards the New Contributory Pension Scheme refunded. The petitioners rely on Rule 11(4) of the Tamil Nadu Pension Rules, as amended in G.O.Ms.No.41, Finance



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(Pension) Department, dated 09.02.2010, as well as the order of this Court in W.A.No.158 of 2016, etc., batch, dated 03.12.2019, and the order in W.P.No.14132 of 2021, dated 08.07.2021.

2.In view of the fact that the issues raised in all the writ petitions are the same, a common order is being passed. Let me take into consideration the facts as stated in W.P. No. 7611 of 2025.

3.The writ petitioner was appointed as a Sanitary Worker through the Employment Exchange on a consolidated pay basis by the Executive Officer, Nandivaram Guduvancheri Town Panchayat, by Proceedings dated 04.11.1999. Thereafter, his services were regularized with retrospective effect from 04.11.2002. The petitioner claims that half of the service he had earlier rendered should be taken into consideration, and if that is considered, he would fall under the Old Pension Scheme. Unfortunately, subscriptions were recovered from the writ petitioner under the New Contributory Pension Scheme. The petitioner has now submitted a representation requesting to be reconsidered for inclusion under the Old Pension Scheme.



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4.A direction is issued to the third respondent to examine the representation given by each one of the writ petitioners herein and examine the Service Register of each of the writ petitioners, examine the period of service they had served earlier and thereafter, offer remarks for the first respondent to pass appropriate orders. The entire exercise by the third respondent must be completed within a period of three months from the date of receipt of a copy of this order. The third respondent must forward the remarks to the first respondent, to pass further orders, which order should be passed within a period of two months from the date of receipt of the remarks from the third respondent.

5.The Writ Petition stands disposed of. No costs.

11.03.2025

Index : Yes / No
Neutral Citation : Yes / No
Speaking Order : Yes / No
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C.V.KARTHIKEYAN, J.

TK

To

- 1.The Secretary to Government
Municipal Administration and
Water Supply Department
Fort St. George, Chennai – 9.
- 2.The Director of Town Panchayat
M.R.C. Nagar, Chennai – 28.
- 3.The Director of Municipal Administration
M.R.C. Nagar, Chennai – 28.
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Nandivaram Guduvancheri Municipality
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