



W.A(MD) No.1472 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 12.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

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&

C.M.P.(MD)No.8612 of 2025

1.The Commissioner,
Office of the Commissioner of
Treasuries and Accounts,
CPS Cell, Government Date Centre,
Nandhanam, Chennai-35.

2.The Block Educational Officer-II,
Kallikudi Block,
Madurai District.

... Appellants / Respondents 1 & 2

Vs

1.R.Karthikeyan

... 1st Respondent / Writ Petitioner

2.Shanthi
Block Educational Officer-II,
Kallikudi Block,
Madurai District.

... 2nd Respondent / 3rd Respondent



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 23.07.2024 passed in W.P. (MD)No.10073 of 2022 and allow the writ appeal.

For Appellants : Mr.C.Venkatesh Kumar

For Respondents : Mr.V.Paneer Selvam

ORDER

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

Heard both sides.

2. The department is on appeal questioning the order dated 23.07.2024 made in W.P.(MD)No.10073 of 2022 filed by the first respondent herein.

3. The first respondent herein was appointed as BT Assistant in the Panchayat Union Service in the year 2010. He was placed under the contributory pension scheme in the Panchayat Union School Service. Later, on being appointed as PG Assistant in the School Education



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Service on 17.09.2014, he was assigned with a fresh CPS account there.

The writ petitioner sought closure of the first CPS account and the payment of the amount accumulated in the said account. Since the jurisdictional Block Educational Officer refused to release the amount, Karthikeyan filed the aforesaid writ petition. The learned single Judge vide order dated 23.07.2024 allowed the writ petition and directed the authority to disburse the amount contributed by the writ petitioner to the previous CPS account along with eligible interest if any. Questioning the same, this writ appeal has been filed.

4. The Government had issued G.O.Ms.No.59, dated 22.02.2016.

Paragraph Nos.4& 5 of the said G.O reads as under:-

“4. Accordingly, the Government direct that the Contributory Pension Scheme accumulation ie., the employee's contribution along with Government contribution and interest thereon upto the date of final authorisation in respect of those retired, resigned, died and whose services are terminated due to various reasons be settled immediately, subject to obtaining an undertaking from the retired / resigned employees and legal heirs of deceased employees that they would not make any further claims under Contributory Pension Scheme.

5. The retired / resigned employee and legal heirs of deceased employee shall submit an application in the format prescribed in



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Annexure-I to this order for final settlement of the Contributory Pension Scheme accumulation.”

5. In the case on hand, the writ petitioner had contributed a sum of Rs.2,56,231/-. The employer had made a matching contribution. The total amount accumulated in the writ petitioner's account was Rs.5,12,642/-. The learned Judge had only directed the disbursement of the amount contributed by the writ petitioner.

6. We are of the view that this may not be correct. The matching contribution made by the Government should also be disbursed in terms of the G.O made by the Government.

7. In this view of the matter, even while dismissing the writ petition, we direct the appellant to disburse Rs.5,12,642/- to the writ petitioner without any delay. The writ petition is dismissed with the aforesaid direction. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.S., J.) (K.R.S., J.)
12.06.2025

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