



W.P.(MD)No.9098 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 02.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.9098 of 2021

Gurusamy Pandiselvi

... Petitioner

versus

1. The State of Tamil Nadu,
Rep. by its Secretary,
Department of Health and Family Welfare,
Fort St. George,
Chennai – 600 009.

2. The State of Tamil Nadu,
Rep. by its Secretary,
Department of Finance (Pension),
Fort St. George,
Chennai – 600 009.

3. The Director of Medical Education,
Directorate of Medical Education,
162, Poonamalle High Road,
Kilpauk, Chennai – 600 010.

4. The Director of Medical and Rural
Health Service,
Chennai – 600 006.

5. The Dean,
The Government Rajaji Hospital,
Madurai.

... Respondents



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Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondents to place the petitioner under the Old Pension Scheme based on initial date of appointment of the petitioner as Staff Nurse on 24.01.2002 as Temporary Appointment on contract basis in the 5th respondent Government Rajaji Hospital, Madurai, including the petitioner's subsequent joining in the Chennai Government General Hospital on 17.11.2004 and subsequent entire service periods till her retirement.

For Petitioner : Mr.M.Rajaraman

For Respondents : Mr.P.T.Thiraviam,
Government Advocate

ORDER

The petitioner is working as a Staff Nurse in the 5th respondent Government Rajaji Hospital, Madurai. She has filed this writ petition for a Mandamus directing the respondents to place her under the old pension scheme, by treating her initial appointment is of the year 2002.

2. Today, when this writ petition is taken up for hearing, the learned Government Advocate by referring an order passed by the Division Bench



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of this Court in a batch of writ appeals in W.A.(MD)No.388 of 2022, etc.

and submits that the similarly placed persons like that of this petitioner have filed writ petitions before this Court and this Court has granted relief in favour of them, however, in the appeal filed by the State, the Division Bench of this Court has rejected the claim of the similarly placed persons and therefore, this petitioner is not entitled for the same.

3. The learned counsel appearing for the petitioner submits that he is not pressing for the relief as sought for in this writ petition, in view of the order passed by the Division Bench of this Court in W.A.(MD)No.388 of 2022, etc.

4. Recording the submission of the learned counsel for the petitioner, this writ petition is closed. No costs.

02.01.2025

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.



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B.PUGALENDHI, J.

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