



W.P.No.33504 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.33504 of 2024

K.Suresh Jawahar

... Petitioner

Vs.

1.The Secretary to the Government,
Higher Education Department,
Fort St.George,
Chennai-600 009.

2.The Secretary to Government,
Finance (Pension) Department,
Fort St.George, Chennai-600 009.

3.The Registrar,
Annamalai University,
Annamalai Nagar,
Chidambaram,
Cuddalore District-608 002.

4.The Accountant General,
DMS Campus,
Teynampet,
Chennai-600 018.

....Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to transfer the petitioner name from Contributory Pension Scheme to Old Pension Scheme prevailed prior to implementation of Contributory Pension Scheme based on the representation of the petitioner dated 01.10.2024.

For Petitioner : Mr.V.Kasinatha Bharathi

For Respondents : Mr.M.R.Gokul Krishnan
Additional Government Pleader
for R1 and R2
Mr.S.Venkatesh for
M/s.Ajmal Associates for R3
Mr.P.Mano Rajan for R4

ORDER

This Writ Petition has been filed to direct the respondents to transfer the petitioner's name from Contributory Pension Scheme to Old Pension Scheme prevailed prior to implementation of contributory pension scheme based on the representation of the petitioner, dated 01.10.2024.

2. The petitioner was appointed as Lab Technician in the third respondent University as per the appointment order issued by the third respondent dated 29.01.2002, and the petitioner had joined duty on



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02.02.2002. However, the confirmation order was issued to the petitioner only on 17.05.2006, though the petitioner was appointed in the year 2002. If the petitioner's service is regularized from the date of his initial appointment, he will get old pension scheme. The pension scheme was modified only from 01.04.2003 and because of his belated regularization, he was not given old pension scheme. For claiming the old pension scheme by giving retrospective effect, the petitioner made a representation on 01.10.2024 and the same was not considered. Hence, the Writ Petition has been filed.

3. The learned counsel appearing for the petitioner submitted that this Court may issue a direction to the respondents to consider the petitioner's representation dated 01.10.2024, within a stipulated period as fixed by this Court.

4. The learned counsel appearing for the respondents submitted that the petitioner's representation will be considered and appropriate order will be passed.



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5. Heard the learned counsel appearing on either side and perused the materials placed on record.

6. Considering the above submissions, this Court is of the view that it is suffice to direct the respondents to consider the petitioner's representations dated 01.10.2024, and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

7. With the above directions, the Writ Petition stands disposed of. No costs.

23.01.2026
(4/4)

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb



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To
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M.DHANDAPANI, J.

ssb

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