



W.P.(MD)No.3802 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MRS.JUSTICE R.KALAIMATHI

W.P(MD)No.3802 of 2012

and

M.P(MD)No.2 of 2012

P.Frederic Engels

... Petitioner

Vs.

- 1.The State represented by
The Secretary,
Finance (Pension Department),
Secretariat,
Fort St.George,
Chennai – 600 006.
- 2.The Director of Elementary Education,
College Road,
Chennai – 600 006.
- 3.The District Elementary Educational Officer,
Dindigul District.
- 4.M.Premekumar
- 5.B.Julionjerom
- 6.S.Palraj



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7.T.Ponniyar

8.W.Ruban Prabu

***(R.4 to R.8 are impleaded vide
order of this Court dated 05.07.2013)***

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration, to declare the proviso to Impugned Rule 2 of Tamil Nadu Pension Rules, 1978 and Sub Rule (3) of Rule 4 of Tamil Nadu General Provident Fund Rules as illegal and consequently to direct the Respondents to shift the enrollment of the petitioner (705294/PUS) in Contributory Pension scheme to that of the previous pension scheme as per the Tamil Nadu Pension Rules, 1978 on the file of the Respondent No.1, within the time stipulated by this Court.

For Petitioner : Mr.R.Karthick
for M/s.Lajapthi Roy and Associates

For Respondents : Mr.P.S.Raman
Advocate General
Assisted by
Mr.J.Ashok
Additional Government Pleader
for R.1 to R.3

No Appearance for R.4 to R.8

ORDER

(Order of the Court was made by G.R.Swaminathan J.)

Heard the learned counsel appearing for the writ petitioner and the learned Advocate General appearing for the State.



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2.The petitioner is working as secondary grade teacher. He joined service in the year 2005. As a result, he came to be placed under what is known as “Contributory Pension Scheme”. The petitioner has filed this writ petition challenging the said system and seeking a direction to shift him to the old pension scheme. During the pendency of the writ petition, the Government has issued GO(Ms)No.7 Finance (PGC) Department dated 09.01.2026 which introduces yet another scheme known as “Tamil Nadu Assured Pension Scheme (TAPS)”. Paragraph 7 of the said GO reads that the new scheme will come into the effect from 01.01.2026 and will be operational after notification of the Rules.

3.The learned Advocate General assures this Court that the Rules are likely to be issued shortly after the conclusion of the Assembly session.

4.In these circumstances, we are of the view that the writ petition has become infructuous.



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5. Accordingly, this Writ Petition stands closed. No costs.

Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [R.K.M, J.]
21.01.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
MGA

To

1. The Secretary,
Finance (Pension Department),
Secretariat, Fort St. George,
Chennai – 600 006.
2. The Director of Elementary Education,
College Road,
Chennai – 600 006.
3. The District Elementary Educational Officer,
Dindigul District.



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G.R.SWAMINATHAN,J.

AND

R.KALAIMATHI, J.

MGA

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