



W.P.(MD)No.9944 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.9944 of 2023
and
W.M.P(MD)No.8746 of 2023

P.Alagar

... Petitioner

Vs.

- 1.The Secretary to Government,
Government of Tamil Nadu,
Municipal Admn & Water Supply
(TP1) Department,
Fort St. George, Chennai 600 009.
- 2.The Director of Town Panchayat,
Kuralagam Buildings,
Chennai-600 108.
- 3.The Assistant Director of Town Panchayats
Office of the Assistant Director of Town
Panchayats, Dindigul.



W.P.(MD)No.9944 of 2023

WEB COPY

4.The Executive Officer,
Nilakottai Selection Grade Town Panchayat,
Dindigul District.

5.The Director of Treasuries and Accounts,
CPS Cell,
Government Data Centre,
Chennai
(R5 is suo motu impleaded vide
Court Order dated 03.03.2026)

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents herein to regularize the services of the petitioner on completion of three years from the date of joining on 18.10.2000 as per the order dated 22.09.2015 made in W.P(MD)No.15973 of 2014 and confirmed by common order dated 22.09.2015 passed by the Hon'ble Division Bench of this Court in batch of writ appeals in W.A(MD)Nos.651/2015 and consequently direct the respondents herein to disburse the pension from the date of his retirement on 30.06.2022 with all arrears of pay and monetary benefits accrued to the services of the petitioner.



W.P.(MD)No.9944 of 2023

WEB COPY

For Petitioner : Mr.K.Appadurai
For R1 to R3 : Mr.S.Shaji Bino
Special Government Pleader

ORDER

This writ petition has been filed seeking a Writ of Mandamus to direct the respondents herein to regularize the services of the petitioner on completion of three years from the date of joining ie., on 18.10.2000 in terms of the orders, dated 22.09.2015 passed in W.P(MD)No.15973 of 2014 read with orders passed in W.A(MD)Nos.651/2015.

2. Heard Mr.K.Appadurai, learned counsel appearing for the petitioner and Mr.S.Shaji Bino, learned Special Government Pleader appearing for the respondents 1 to 3.

3. After hearing both sides and on perusal of the records, it is evident that the petitioner's services were regularised with effect from 30.06.2006,



W.P.(MD)No.9944 of 2023

WEB COPY

as against the claim of the petitioner for regularisation from 18.10.2000, thereby excluding the period of holidays. Therefore, the relief sought in the writ petition has been granted even before the filing of the writ petition. However, the claim of the petitioner appears to be for payment of pension under the old pension scheme, on the grounds that he was initially appointed on 18.10.2000. The fact remains that the services of the petitioner were regularised only with effect from 30.06.2006 after the contributory pension scheme came into force on 01.04.2003. Therefore, the petitioner is only entitled to pension benefit under the Contributory Pension Scheme with effect from 01.04.2003.

4. In the course of hearing, the learned Special Government Pleader informed the Court that the entire amount under the Contributory Pension Scheme has already been forwarded to the Director of Treasuries and Accounts, CPS Cell, Government Data Centre, Chennai as on 08.07.2022. The amount is pending with the said Office due to the pendency of this writ



W.P.(MD)No.9944 of 2023

petition. If the petitioner agrees to receive the pension under the Contributory Pension Scheme, it will be released to the petitioner as expeditiously as possible.

5. Though the petitioner claims entitlement to the old pension scheme, that issue does not arise because the petitioner's services were regularised only with effect from 30.06.2006, after the Contributory Pension Scheme had come into effect. The petitioner has been contributing to the Contributory Pension Scheme right from the year 2003 onwards and retired from service on 30.06.2022.

6. Therefore, at this stage, the question of petitioner making the claim for pension under old pension scheme does not arise. Admittedly, he is entitled to pension under the Contributory Pension Scheme. There is no impediment for the respondents from releasing the pension. As the Director of Treasuries and Accounts, CPS Cell, Government Data Centre, Chennai



W.P.(MD)No.9944 of 2023

was not made a party to the proceedings, the Court hereby suo motu impleads the Director of Treasuries and Accounts, CPS Cell, Government Data Centre, Chennai as the fifth respondent in the writ petition.

7. In view of the above, this writ petition is disposed of with the direction that the newly impleaded fifth respondent release the petitioner's pension and other terminal benefits as expeditiously as possible, together with interest as per the applicable rules, within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

03.03.2026

Neutral Citation: Yes / No
Index : Yes / No
am



W.P.(MD)No.9944 of 2023

WEB COPY

To

- 1.The Secretary to Government,
Government of Tamil Nadu,
Municipal Admn & Water Supply
(TP1) Department,
Fort St. George, Chennai 600 009.
- 2.The Director of Town Panchayat,
Kuralagam Buildings,
Chennai-600 108.
- 3.The Assistant Director of Town Panchayats
Office of the Assistant Director of Town
Panchayats, Dindigul.
- 4.The Executive Officer,
Nilakottai Selection Grade Town Panchayat,
Dindigul District.
- 5.The Director of Treasuries and Accounts,
CPS Cell,
Government Data Centre,
Chennai



WEB COPY



W.P.(MD)No.9944 of 2023

MUMMINENI SUDHEER KUMAR, J.

am

W.P.(MD)No.9944 of 2023

03.03.2026