

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

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.11.2025

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE C.KUMARAPPAN**

W.P(MD)No.3802 of 2012

P.Frederic Engels

... Petitioner

Vs.

1.Government of Tamil Nadu,
Represented by its 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

7.T.Ponniyar

8.W.Ruban Prabu

... Respondents

(R 4 to R8 are impleaded vide order dated 05.07.2013
in M.P(MD)No.1 of 2013)

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PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, 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.T.Lajapathi Roy
Senior Counsel
for M/s.T.Lajapathi Roy and Associates

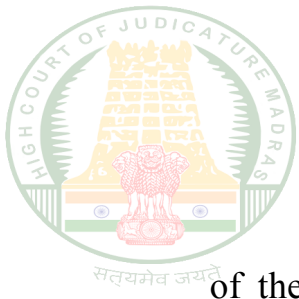
For Respondents : Mr.J.Ashok (R1 to R3)
Additional Government Pleader

ORDER

(Order of the Court was made by **DR.ANITA SUMANTH, J.**)

Heard in brief.

2.Mr.T.Lajapathi Roy, learned Senior Counsel appearing for the petitioner, draws attention to G.O.No.259, Finance (Pension) Department, dated 06.08.2003. The Government Order states that the State Government will issue rules and regulations for the implementation



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of the Contributory Pension Scheme for State Government employees recruited on or before 01.04.2003, after receiving detailed orders from the Government of India. The detailed order from the Central Government was issued in 2013 by way of the Pension Fund Regulatory and Development Authority Act, 2013. Despite lapse of 12 years and the constitution of the Sridhar Committee, no orders/rules have been framed by the State Government. According to Mr.Lajapathi Roy, this has resulted in stagnation in the pension scheme, as several persons are unable to make any claims on that account.

3.As a last chance, a response is solicited from the State, to be filed within a week from today.

4.List on **19.11.2025**. Response to be filed by then, with a copy served in advance on the petitioner.

[A.S.M.J.] & [C.K.J.]
11.11.2025

Index :Yes/No
Internet :Yes
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DR.ANITA SUMANTH, J.
AND
C.KUMARAPPAN, J.

ps

To

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