

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 17.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17172 of 2015

R.Vasantha

... Petitioner

Versus

1. The Government of Tamil Nadu
Rep. by its Secretary Social Welfare and
Nutritious Meal Programme Department
Fort St. George Chennai-9.
2. The Commissioner of Social Welfare
Chindaripet Chennai-2.
3. The Commissioner/ Director of
Integrated Child Development Services
Pammal Nallathambi Street Tharamani
Chennai-113.
4. The District Project officer-Child Development
Vellore.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondents to consider the petitioner representation dated 30.5.2015 and increase and enhance the age of the petitioner retirement from 60 years to 65 years as per the directions issued by the Government of India and allow the petitioner to continue the petitioner services till she attain the age of 65 years with all consequential benefits award costs.

For Petitioner : Mr.R.Krishnaswamy

For Respondents : Mr.M.Dig Vijaya Pandian
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner would claims that she has passed SSLC and was appointed as Child Nutrition Worker under the Integrated Child Development Scheme (ICDS) on 01.07.1982 and later on Child Nutrition Department was merged with Noon Meal Scheme and subsequently, Child Nutrition Workers were absorbed in the anganwadi centres and given the post of Main Anganwadi Workers and at present she is working at Kadapperi / Ramapuram ADC Main Anganwadi Centre.

3. The petitioner would further state that the next promotional post for the Main Anganwadi worker is Supervisor Grade - II and however, the age of retirement for the said post is 58 years. But the age of retirement for the post of Main Anganwadi worker was raised from 58 to 60 years by an order dated 03.12.1991 and it was also clarified on 06.07.2001 that the age of retirement is only 60 years. The petitioner was offered promotion to the post of Supervisor Grade-II. Since she attained the age of 58 years, she did not accept the said promotion and she continued in the same post of Main Anganwadi Worker.

4. It is the specific case of the petitioner that Government of India, raised the age of retirement of Anganwadi workers as 65 years vide proceedings dated 01.03.2003 in O.M.No.1-1/2007-CD-1 (Vol.II) and directed all the respective State Governments to uniformly fix the age of retirement for anganwadi workers as 65 years and almost all State Governments had complied with the said direction except this State and in this regard, she submitted a detailed representation dated 30.05.2015 to the 1st respondent and since, no response is forthcoming, came forward to file this writ petition.

5. Heard the submissions of Mr.R.Krishnaswamy, learned counsel appearing for the petitioner and Mr.M.Dig Vijaya Pandian, learned Additional Government Pleader, who accepts notice for the respondents 1 to 4.

6. This Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner, directs the 1st respondent to consider the representation dated 30.05.2015, submitted by the petitioner, in accordance with law and pass orders as expeditiously as possible and not later than ten weeks from the date of receipt of a copy of this order and inform the decision taken, to the petitioner.

7. The writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

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+1cc to Mr.V.Ajay Khose, Advocate, S.R.No.29621

+1cc to the Government Pleader, S.R.No.29821

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CTK(CO)
CA(03/07/2015)

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