

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.26382 of 2015

And

M.P.No.1 of 2015

A.Alamelu

... Petitioner

Vs.

1 Puducherry Corporation for
Development of Women & Differently Abled
Persons Ltd. 30 2nd Cross Street Pon
Nagar Reddiyarpalayam Puducherry-605010.

2 The Director
Department of Women and Child Development
No.50 Sithankudi Saram Puducherry-605013.

3 Project Officer
ICDS-Project IV Department of Women and
Child Development Muthialpet Puducherry-
605003.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the respondents in so far as it relates in altering the age of the petitioner superannuation from 24.03.2018 to 24.08.2015 wherein the committee decided and consequently carry out the amendment in the petitioner service register in so far as the petitioner age as much as it relates to the retirement of the petitioner and consequently direct the respondents to treat the date of superannuation of the petitioner as 24.03.2018 and continue the petitioner service with all service attendants and other monetary benefits.

For Petitioner
For Respondents

: Ms.Usha Ramman
: Mr.R.Sreedharan
Government Advocate (Pondy)

O R D E R

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

2.The petitioner joined the services of the first respondent as Anganwadi Helper vide letter of appointment dated 11.09.1986 and later on absorbed in the said post. The petitioner would further state that in the year 2005, she was appointed as Multipurpose Women Development Helper on temporary basis with effect from 01.05.2005 and she was regularly engaged and continued in the said post in the time scale of pay of Rs.2550 - 55 - 2660 - 60 - 3200. It is the case of the petitioner that she is in possession of Transfer Certificate issued by Government School, Sirupalayur and on that basis, the respondents have entered her date of birth as 24.03.1958 in the Service Register and she is due to retire only on 24.03.2018. In the said circumstances, the second respondent constituted a Committee for determining the age of retirement for the Anganwadi Helpers. However, the Committee on determination of the age of Anganwadi staff, has unilaterally altered her date of retirement from 24.03.2018 to 24.08.2015 and the petitioner has not been put on notice and aggrieved by the said act, came forward to file this writ petition.

3.Heard the submissions of Ms.Usha Ramman, learned counsel appearing for the petitioner and Mr.R.Sreedharan, learned Government Advocate (Pondy) who accepts notice on behalf of the respondents.

4.Though the petitioner prayed for a larger relief, this Court in the light of the facts and circumstances, permits the petitioner to submit a detail representation to the first respondent by enclosing a copy of this order as well as the documents evidencing her date of birth as 24.03.1958 within a period of one week from the date of receipt of a copy of this order and the first respondent on receipt of the same is directed to consider the same on merits and in accordance with law and pass orders within a period of two weeks thereafter and communicate the decision taken, to the petitioner.

5.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

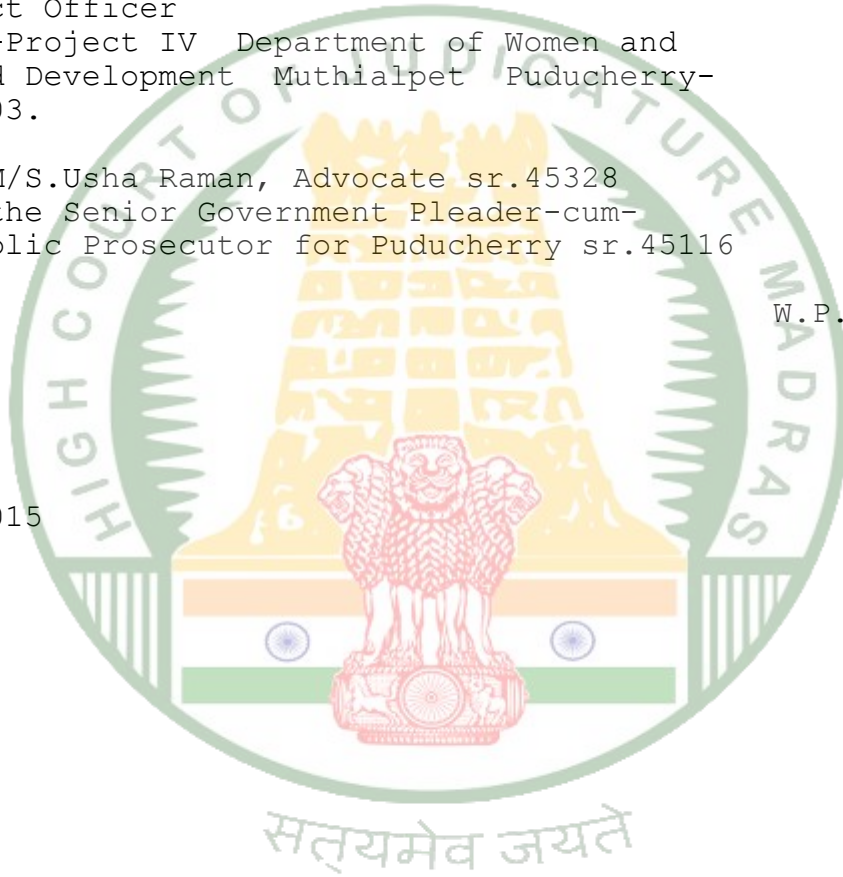
To

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+1 cc to M/S.Usha Raman, Advocate sr.45328
+1 cc to the Senior Government Pleader-cum-
senior Public Prosecutor for Puducherry sr.45116

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