



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)Nos.407, 411 and 421 of 2021

K.Saraswathi	... Petitioner in W.P.(MD).No.407 of 2021
C.Vasugi	... Petitioner in W.P.(MD).No.411 of 2021
S.Subbulaxmi	... Petitioner in W.P.(MD).No.421 of 2021

Vs.

1. The State of Tamil Nadu
represented by the Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St. George,
Chennai -9.
2. The Director,
Directorate of Public Health and Preventive Medicine,
No.359, Anna Salai, DMS Complex,
Teynampet,
Chennai 600 006.
3. The State of Tamil Nadu
represented by the Secretary to Government,
Social Welfare and Nutritious Meal Programme Department,
Secretariat, Fort St. George,
Chennai 9.
4. The Deputy Director of Health Services,
O/o. Health Services,
Viswanathapuram,
Madurai District 625 014.
5. The Block Medical Officer,
Government Primary Health Centre,
Kallikudi Block,
Madurai District 625 701.
6. The Medical Officer,
Government Primary Health Centre,
Koodakovil,
Madurai District 625 022. ... Respondents in 407 of 2021



1. The State of Tamil Nadu
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Chennai -9.
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4. The Deputy Director of Health Services,
O/o. Health Services,
Viswanathapuram,
Madurai District 625 014.
5. The Block Health Officer,
Government Block Health Centre,
T.Kallupatti,
Madurai District 625 702.
6. The Medical Officer,
Government Primary Health Centre,
M.Subbulapuram,
Madurai District 625 022.

... Respondents in 411 of 2021

1. The State of Tamil Nadu
represented by the Principal Secretary to Government,
Health and Family Welfare Department,
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Directorate of Public Health and Preventive Medicine,
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3. The State of Tamil Nadu
represented by the Secretary to Government,
Social Welfare and Nutritious Meal Programme Department,
Secretariat, Fort St. George,



4. The Deputy Director of Health Services,
O/o. Health Services,
Sankarankovil,
Tenkasi District - 627 756.

5. The Block Health Officer,
Government Block Health Centre,
Illathur,
Tenkasi District - 627 756.

6. The Medical Officer,
Government Primary Health Centre,
Puliyarai,
Tenkasi District - 627 756.

... Respondents in 421 of 2021

Prayer: Writ Petitions are filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to switch over the petitioners' service of the Village Health Nurse from Contributory Pension Scheme (CPF) to General Provident Fund Pension Scheme (GPF) by calculating the service rendered by the petitioners in the post of Community Nutrition Worker from the year 1983 without any break into the service and continuously joined in the post of Village Health Nurse, in the light of the orders in similarly placed Village Health Nurses appointed before 2004, by considering the representation dated 14.10.2020 made by the petitioners within the time stipulated by this Court.

For Petitioners : Mr.I.Pinaygash, (in all Writ Petitions)
For Respondents : Mr.S.Dhayalan, Government Advocate
(in all Writ Petitions)

C O M M O N O R D E R

These writ petitions have been filed for a direction to the respondents to switch over the petitioners' service of the Village Health Nurse from Contributory Pension Scheme (CPF) to General Provident Fund Pension Scheme (GPF), by calculating the service rendered by the petitioners in the post of Community Nutrition Worker from the year 1983, by considering the petitioners' representation, dated 14.10.2020.

2. By consent of both parties, these writ petitions are taken up for final disposal.

3. The case of the petitioners is that initially the petitioners joined as a Community Nutrition Worker in various places and they have completed the Multi Purpose Health Worker Female Training under Kasthuribai Hospital, Gandhigram University, Dindigul District. In the year 2004, after seven years of service as



Community Nutrition Worker, the petitioners got appointment as Village Health Nurse and served as a Village Health Nurse in different places. The grievance of the petitioners is that the petitioners' earlier service was not calculated for the benefits. Hence, the petitioners have made a detailed representation to the respondents on 14.10.2020, requesting them to switch over from C.P.F. to G.P.F. Pension Scheme. But, the same was not considered so far. Hence, the petitioners have approached this Court by filing these writ petitions.

4. When the matters are taken up for hearing today, the learned counsel appearing for the petitioners would submit that it would suffice, if the representation made by the petitioners dated 14.10.2020, is directed to be considered by the second respondent.

5. The learned Government Advocate appearing for the respondents has no serious objection for considering the petitioners' representation, dated 14.10.2020.

6. Taking note of the said submissions made, the second respondent is directed to consider the representation made by the petitioners, dated 14.10.2020 and pass appropriate orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, if not disposed of already.

7. With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar (A.S)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1. The Principal Secretary to Government,
State of Tamil Nadu,
Health and Family Welfare Department,
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Chennai -9.

2. The Director,
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4. The Deputy Director of Health Services,
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Koodakovil, Madurai District 625 022.

7. The Block Health Officer,
Government Block Health Centre,
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9. The Deputy Director of Health Services,
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11.01.2021

KVN(CO)
CS(29.01.2021) 5P 13C