



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.12.2021**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P. (MD)No.2815 of 2018

K.R.Choolamani

...Petitioner

/Vs./

1.The Director of Social Welfare Department,
Directorate of Social Welfare,
Chinthadripet,
Chennai-600 002.

2.The Commissioner/Block Development Officer,
Panchayat Union,
Pullambadi.

3.The District Social Welfare Officer,
Office of the District Social Welfare Officer,
Tiruchirapalli.

4.The Head Master,
The Government Higher Secondary School,
Padalur,
Perambalur District.

...Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pursuant to the order passed by the first respondent in Na.Ka.No:19951/Nir 3(2)/14 dated 18.07.2014 and quash the same and consequently, direct the respondents to include the previous service period of 3 years 4 months and 3 days worked as Gramasevika along with 29 years 3 months 20 days of service of Teacher in Government School and to pay the retirement benefits of Rs.1,68,914/- with 18% interest per annum which he is legally entitled to receive.

For Petitioner : Mr.G.S.Asok Adhithyan

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader

O R D E R

This Writ Petition has been filed challenging the order dated 18.07.2014 passed by Director of Social Welfare Department/R1.
<https://hcservices.ecourts.gov.in/hcservices/>



2. The petitioner, who was employed as a Teacher in the Government School on 11.01.1982, would claim that prior to such appointment, she had been working as Gramasevika at Panchayat Union, Pullambadi between the period from 20.02.1978 to 19.08.1978, in terms of proceedings dated 11.08.1978.

3. She prays that her service as Gramasevika be included and taken into account in the computation of terminal benefits. The defence put forth is that the writ petition is hit by laches insofar as the order of rejection challenged is of the year 2014, whereas the present writ petition has been filed only after four years.

4. Moreover, the post of Gramasevika is only a post under a Scheme and not a sanctioned post under the State Service. Rather than considering the case on merits, I would think that the delay of four years would defeat the claim of the petitioner. There is no semblance of an explanation that has been set out justifying the delay of four years in approaching this Court and this Writ Petition is thus dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssb

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Director of Social Welfare Department,
Directorate of Social Welfare,
Chinthadripet,
Chennai-600 002.
- 2.The Commissioner/Block Development Officer,
Panchayat Union,
Pullambadi.
- 3.The District Social Welfare Officer,
Office of the District Social Welfare Officer,
Tiruchirappalli.

<https://hcservices.gov.in/services/>



4.The Head Master,
The Government Higher Secondary School,
Padalur, Perambalur District.

+1 CC to M/s.G.S.ASOK ADHITHYAN, Advocate (SR-37060[F] dated
02/12/2021)

+1 CC to M/s.SPL GP (SR-36994[F] dated 02/12/2021)

W.P. (MD)No.2815 of 2018

Dated:

01.12.2021

RK(02/02/2022) 3P 7C