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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 10.01.2022

CORAM:

THE HON'BLE MR. JUSTICE M.DURAI SWAMY
AND
THE HON'BLE MR. JUSTICE J. SATHYA NARAYANA PRASAD

W.A.NO.227 OF 2015 &
M.P. NO. 1 OF 2015

1. The State of Tamil Nadu,
Rep. By the Secretary to Government,
Social Welfare and Nutritious Meal
Programme Department,
Fort St. George, Chennai - 9.
2. The Director of Social Welfare,
Chepauk,
Chennai - 600 005.
3. The District Social Welfare Officer,
Namakkal.

... Appellants

vs.

Tmt. C. Kanmani

... Respondent

Writ Appeal filed under Clause 15 of Letters Patent against the order dated 05.02.2008 made in W.P.No.2971 of 2008.

Prayer in W.P.No.2971 of 2008:

To issue a Writ of Mandamus directing the first Respondent to take into account 50% of the services rendered by the Petitioner as Bhalasevika and Child Welfare Organiser from 15.03.1968 to 15.12.1998 along with the services rendered by the petitioner as rural Welfare Officer [women] from 16.12.1998 to 28.02.2006 to reckon the total qualifying service for pensionary benefits and to grant pensionary benefits consequent on the petitioners retirement on 28.02.2006 A.N. on attaining the age of superannuation and disburse the arrears of monetary benefits thereof with interest.



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For Appellants : Mrs. Geetha Thamarai Selvan
Spacial Government Pleader

For Respondent : Not Known

JUDGMENT

(Judgment was delivered by M. DURAISWAMY, J.)

Challenging the order passed in W.P.No.2971 of 2008, the respondents in the Writ Petition have filed the above Writ Appeal.

2. The respondent filed the Writ Petition to issue a Writ of Mandamus, directing the 1st appellant to take into account 50% of the services rendered by her as Balasevika and child Welfare Organizer from 10.5.1969 to 15.12.1998 along with the services rendered by her as Rural Welfare Officer (Women) from 16.12.1998 to 31.07.2006 to reckon the total qualifying service for pensionary benefits and to grant pensionary benefits consequent on the writ petitioner's retirement on 31.07.2006 A.N. on attaining the age of superannuation and disburse the arrears of monetary benefits with interest.

3. The learned Single Judge, while disposing of the Writ Petition, took into consideration the Government Order in G.O.Ms.No.118 Finance (Pension) Department, dated 14.02.1996 and directed the appellants to consider the writ petitioner's representation in the light of the said Government Order and also the order passed by this Court in W.P.No.113 of 2008 and send the necessary proposal for sanction of pension and pass final orders as expeditiously as possible.

4. The Writ Petition was disposed of on 05.02.2008. The Division Bench of this Court has not granted any interim order in the Writ Appeal. After a lapse of nearly 14 years, the order passed by the learned Single Judge directing the appellants to consider the petitioner's representation in the light of the Government Order and the order passed in the Writ Petition cannot be disturbed.

5. In such view of the matter, we are not inclined to interfere with the order passed by the learned Single Judge.



Accordingly, the Writ Appeal is dismissed. No costs.
Consequently, the connected Miscellaneous Petition is closed.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Rj

To

1. The Secretary to Government,
Social Welfare and Nutritious Meal
Programme Department,
Fort St. George, Chennai - 9.
2. The Director of Social Welfare,
Chepauk,
Chennai - 600 005.
3. The District Social Welfare Officer,
Namakkal.

+1cc to the Government Pleader, S.R.No.2229

W.A.No.227 of 2015 &
M.P. No. 1 of 2015

SRA(CO)
PM/27/01/2022