



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) Nos.9660 & 9661 of 2019

WEB COPY

R.Mary Stella Bai ... Petitioner in W.P.(MD)No.9660 of 2019

K.Nesammal ... Petitioner in W.P.(MD)No.9661 of 2019
vs.

1.The Government of Tamil Nadu
rep.by its Principal Secretary
Social Welfare and Nutritious
Meal Programme
Fort St.George, Chennai-600 009

2.The Principal Secretary
Department of School Education
Government of Tamil Nadu
Fort St.George, Chennai-600 009

... Respondents 1 & 2
in both W.Ps.

3.The Chief Educational Officer
Madurai, Madurai District

4.The District Educational Officer
Madurai, Madurai District

5.The Block Educational Officer
Kottampatti
Madurai District

... Respondents 3 to 5 in
W.P.(MD) No.9660 of 2019

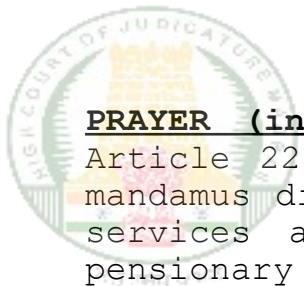
6.The Chief Educational Officer
Sivagangai, Sivagangai District

7.The District Educational Officer
Sivagangai, Sivagangai District

8.The Block Educational Officer
Sivagangai, Sivagangai District

... Respondents 3 to 5 in
W.P.(MD) No.9661 of 2019

PRAYER (in W.P.(MD) No.9660 of 2019): Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to count 50% of the petitioner's services as Noon Meal Organizer from 17.11.1988 to 29.01.2007 for pensionary benefits and to award pension.



PRAYER (in W.P.(MD) No.9661 of 2019): Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to count 50% of the petitioner's services as Anganwadi Worker from 24.03.1995 to 24.08.2010 for pensionary benefits and to award pension.

For Petitioner : Mr.R.Subramanian
(in both W.Ps.)

For Respondents : Mr.G.V.Vairam Santhosh
(in both W.Ps.) Additional Government Pleader

C O M M O N O R D E R

The relief sought for in the present writ petitions is to direct the respondents to count 50% of the petitioners' services as Noon Meal Organizer and Anganwadi Worker respectively for pensionary benefits.

2. Even according to the petitioners, they were appointed as Secondary Grade Teacher and B.T.Assistant (English) on 01.02.2007 and 25.08.2010 respectively. Therefore, the petitioners are not falling under the Tamil Nadu Pension Rules, 1978 and they are falling under the Contributory Pension Scheme (CPS). Hence, the benefit as claimed by the petitioners cannot be granted by this Court.

3. Accordingly, the writ petitions are devoid of merits and stand dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:

1.The Principal Secretary,
Social Welfare and Nutritious
Meal Programme,
Government of Tamil Nadu,
Fort St.George, Chennai-600 009.



2.The Principal Secretary,
Department of School Education,
Government of Tamil Nadu,
Fort St.George, Chennai-600 009.

3.The Chief Educational Officer,
Madurai, Madurai District.

4.The District Educational Officer,
Madurai, Madurai District.

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Kottampatti,
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Sivagangai, Sivagangai District.

8.The Block Educational Officer,
Sivagangai, Sivagangai District.

+2 CC to M/s.R. SUBRAMANIAN, Advocate (SR-18440,SR-18439 [F] dated
13/04/2022)

+1 CC to M/s.SPL.GP. (SR-18626[F] dated 13/04/2022)

W.P. (MD) Nos.9660 & 9661 of 2019

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