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1

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.1973 of 2023

S.Selvi Kannammal

Petitioner

vs.

- 1.The Principal Secretary to the Government,
Social Welfare and Women Empowerment Department,
(Formerly Social Welfare and Nutritious Meal Programme Department)
Fort St. George, Chennai – 600 009.
- 2.The Director cum Social Welfare Commissioner,
Directorate of Social Welfare and Women Empowerment,
(Formerly Social Welfare and Nutritious Meal Programme Department)
Panagal Maaligai, 2nd Floor,
Saidapet, Chennai – 15.
- 3.The Director cum Mission Director,
Integrated Child Development Services Scheme,
Tharamani,
Chennai – 600 113.
- 4.The District Project Officer,
Integrated Child Development Services Scheme,
Villupuram District.
- 5.Accountant General,
Office of the Principal Accountant General,
Anna Salai, Teynampet,
Chennai – 600 018.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for
<https://www.mhc.tn.gov.in/queis>



issuance of a Writ of Mandamus, directing the respondents to grant pension to the petitioner under the Tamil Nadu pension Rules 1978 (Old Pension Scheme) by counting 50 percent of services rendered by the petitioner from 8.10.1979 to 8.05.2007 as Child Welfare Organiser (Anganwadi Worker or Bala Sevika) along with the regular service in the post of Supervisor Grade II from 9.05.2007 to 31.05.2013 and Supervisor Grade I from 1.06.2013 to 22.07.2018 and Child Development Project Officer (CDPO) from 23.07.2018 to 30.04.2019 as qualifying service and also provide the eligible Death cum Gratuity Benefit to the petitioner

For Petitioner : Mr.U.Karunakaran

For Respondents : Mr.RU.Dinesh Rajkumar
Additional Government Pleader

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to consider the representation of the petitioner on 29.11.2022, wherein, the petitioner has sought for granting pension to her under the Tamil Nadu Pension Rules, 1978 by counting 50% of the services rendered by the petitioner from 08.10.1979 to 08.05.2007 as Child Welfare Organizer, along with the regular services rendered by her in the post of Supervisor Grade-II, Supervisor Grade-I and Child Development Project Officer and consequently to settle all the benefits.



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2.The case of the petitioner is that she was posted as Child Welfare Organizer (Anganwadi Worker) in the year 1979. She continued to serve in the same position till the year 2007. On 09.05.2007, she was appointed as a Supervisor Grade-I by the 2nd respondent and was brought under the scale of pay equivalent to Group-D employee. Thereafter, the petitioner was promoted as Supervisor Grade-I through proceedings dated 01.06.2013. Subsequently, the petitioner was made as the Child Development Project Officer through proceedings dated 18.07.2018, issued by the 1st respondent. Ultimately, the petitioner attained the age of superannuation and she retired from service w.e.f. 30.04.2019.

3.The grievance of the petitioner is that the services rendered by her as the Child Welfare Organizer for the period from 08.10.1979 to 08.05.2007 was not counted along with the regular services and as a result, the petitioner was not granted any pension or other retirement benefits. Hence, the petitioner made a representation on 29.11.2022 in this regard to the respondents. Since the same did not evoke any response, the present writ petition has been filed before this Court seeking for appropriate directions.

4.Heard Mr.U.Karunakaran, learned counsel appearing on behalf of



the petitioner and Mr.RU.Dinesh Rajkumar, learned Additional Government Pleader appearing on behalf of the respondents.

5.Taking into consideration the limited relief sought in the present writ petition and without going into the merits of the case, there shall be a direction to the 1st and 2nd respondents to consider the representation made by the petitioner on 29.11.2022 and deal with the same on its own merits and in accordance with law and take a decision, within a period of eight weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st and 2nd respondents along with all the relevant documents and also a copy of this order.

6.This writ petition is disposed of with the above directions. No Costs.

30.01.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
ssr

To



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6

N. ANAND VENKATESH, J.

SSR

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