



W.P.(MD).No.6549 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 27.03.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No. 6549 of 2023

A.Vellathai

... Petitioner

Vs.

1.The Principal Secretary to Government,
Social Welfare and Women Empowerment Department,
Secretariat,
Chennai – 600 009.

2. The Direct of Social Welfare,
Saidapet,
Chennai – 600 015.

3. The Child Development Project Officer (Rural),
Theni.

4. The Panchayat Union Commissioner,
Cumbum,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Mandamus*, positively directing the 1st respondent i.e., the Principal Secretary to Government, Social Welfare and Women Empowerment Department, Chennai to instruct the 3rd and 4th respondents i.e., the Child Development Project Officer (Rural), Thenai and the Panchayat Union Commissioner, Cumbum for arranging to send revised pension proposals to the Accountant General, Chennai by counting the services rendered by the petitioner in the cadre of Child Welfare Organizer also for the period from 11.02.1974 to 13.11.1983, within a specified time frame that may fixed by this Court.



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For Petitioner : Mr.S.Viswalingam
For Respondents : Mr.T.Villavankothai
Additional Government Pleader

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The petitioner was appointed as Child Wefare Organizer on 22.11.1973 and joined duty on 11.02.1974 and continued in the same post until 13.11.1983, i.e., for a period of 9 years and 9 months. Thereafter, the petitioner was appointed as Supervisor Grade II as per proceedings, dated 22.10.1983 and deputed for training at Sri Avinashi Lingam Home Science and College for Women, Coimbatore, for a period from 14.11.1983 to 13.01.1984, i.e., for a period of two months. Thereafter, the petitioner has joined as Supervisor Grade II on 14.11.1983 and was regularized, vide Order, dated 15.03.1988. The petitioner was continuing in the said service and retired on 31.05.2011. The respondents have calculated pension only for a period from 14.11.1983 to 31.05.2011 and granted pension and other terminal benefits. However, the respondents have not taken the service of Child Welfare Organizer for a period form 11.02.1974 to 13.11.1983 for a period of 9 years and 9 months.



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3. Now, the petitioner is seeking relief to add the said service along with the regular service and thereafter, calculate the pensionary benefits and other terminal benefits.

4. It is not clear, Whether the said service is temporary or consolidated pay?. Since the petitioner has retired from service, the 1st respondent is the appropriate authority to consider the case of the petitioner.

5. Therefore, the 1st respondent is directed to consider and pass orders, if the petitioner is entitled the said service may be added or 50% of the said service may be added. The 1st respondent shall consider and pass order, within a period of 12 weeks from the date of receipt of a copy of the order.

6. With the above observations, this Writ Petition is disposed of. No Costs.

Index : Yes / No
Internet : Yes
ksa

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S.SRIMATHY, J

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**Order made in
W.P.(MD)No. 6549 of 2023**

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