



W.P.(MD).No.7005 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.7005 of 2024

V.Muthulakshmi

...Petitioner

Vs.

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

2.The Director of Social Welfare,
Directorate of Social Welfare,
Panagal Buildings,
Saidapet,
Chennai-600 015.

3.The Director of Integrated Child
Development Scheme,
Tharamani,
Chennai-600 113.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the third respondent i.e., the Director of Integrated Child Development Scheme, Tharamani,



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Chennai to forward the proposals received from the Director of Social Welfare, Chennai in his Letter No.32553/Admn3(1)/2019 dated 13.06.2022 to the Government, within a specified time frame i.e., the first respondent for regularization of the period of absence of the petitioner and to direct the Government to pass appropriate orders on receipt of the proposals regarding regularization of the period of absence of the petitioner from 01.12.2011 to 26.03.2013, the period from 01.12.2013 to 16.12.2013 and 03.07.2014 to 03.09.2014, within a specified time frame.

For Petitioner : Mr.S.Visvalingam
For Respondent : Mr.S.Shaji Bino,
Special 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 present writ petition has been filed seeking direction to the third respondent to forward the proposals received from the Director of Social Welfare, Chennai in his letter dated 13.06.2022 to the Government, i.e., the first respondent for regularization of the period of absence of the petitioner and to



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direct the Government to pass appropriate orders on receipt of the proposals regarding regularization of the period of absence of the petitioner from 01.12.2011 to 26.03.2013, the period from 01.12.2013 to 16.12.2013 and 03.07.2014 to 03.09.2014.

3. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

(i) The petitioner was lastly serving as Auxiliary Nurse Midwife in the office of the Child Development Project Office, Project-IV, Arapalayam Cross Road, Madurai. On attaining the age of superannuation, she retired from service on 30.11.2019 and was relieved from the post with two conditions. The conditions are extracted as follows:

(i) A sum of Rs.1,73,084/- (Rupees One Lakh Seventy Three Thousand and Eighty Four only) which is pending in the department Co-operative Credit Society as the petitioner have made herself as surety to the above said amount. This has to be cleared.

(ii) The period of absence from 01.12.2011 to 26.03.2013, the period from 01.12.2013 to 16.12.2013 and 03.07.2014 to 03.09.2014 has to be regularized.



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(ii) The said amount of Rs.1,73,084/- (Rupees One Lakh Seventy Three Thousand and Eighty Four only) has been credited by the petitioner on 10.06.2021 and the society has given the clearance certificate on 29.06.2021. Regarding regularization of the period of absence from 01.12.2011 to 26.03.2013, the period from 01.12.2013 to 16.12.2013 and 03.07.2014 to 03.09.2014, the Child Development Project Officer, Madurai has sent a detailed proposal to the District Project Officer, Madurai, vide his letter dated 12.06.2020. The Director of Social Welfare, Chennai has sent the said proposals to the Director of Integrated Child Development Scheme, Tharamani, Chennai by his letter dated 13.06.2022. Since the same was not disposed so far, the present writ petition came to be filed.

4. Heard, the learned Counsels on either sides. Carefully perused the materials available on record.

5. Considering the limited scope of relief sought for by the petitioner herein, this Court hereby direct the 3rd respondent to forward the proposals received from the Director of Social Welfare, Chennai, dated 13.06.2022 to the



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Government, within a period of twelve (12) weeks from the date of receipt of a copy of this order. On receipt of the same, the 1st respondent is directed to consider the case of the petitioner and pass appropriate orders in accordance with law within a period of eight (8) weeks therefrom.

6. Accordingly, this Writ Petition stands disposed of. No costs.

21.03.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes

Sml

To

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2.The Director of Social Welfare,
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L.VICTORIA GOWRI, J.

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