



W.P.No.17669 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2025

CORAM

**THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**W.P.No.17669 of 2025**

S.Saraswathi

... Petitioner

Vs.

- 1.The Principal Secretary to the Government  
Social Welfare and Women Empowerment Department  
(Formerly Social Welfare and Nutritious Meal Programme  
Department)  
Secretariat, 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)  
Lady Willingdon College Campus, Kamarajar Salai,  
Chennai – 600 005.
- 3.The Director cum Mission Director  
Integrated Child Development Services Scheme,  
Tharamani,  
Chennai – 600 113.
- 4.District Project Officer  
Integrated Child Development Services Scheme  
Chengalpet District.
- 5.Child Development Project Officer



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Integrated Child Development Services Scheme  
Kattangalathur,  
Chengalpet District.

6.Accountant General

Office of the Principal Accountant General  
Anna Salai, Teynampet,  
Chennai – 600018.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, directing the respondents to quash the impugned order Na.Ka.No.1453 / Admn3(2)/2023 Dated 20.09.2023 issued by the 2<sup>nd</sup> respondent and consequently grant pension to the petitioner under the Tamil Nadu Pension Rules 1978 (Old Pension Scheme) by counting 50% of services rendered by the petitioner from 07.11.1979 to 17.05.2007 as Child Welfare Organizer (Anganwadi Worker) along with the regular service in the post of Supervisor Grade II from 18.05.2007 to 04.06.2013 and Supervisor Grade I from 05.06.2013 – 28.02.2019 as qualifying service since her selection process for appointment to regular service done in the year 1995 – 96 or grant pension higher than Rs.2,000/- as per the proposal sent by the 2<sup>nd</sup> respondent to the 1<sup>st</sup> respondent.

For Petitioner : Mr.U.Karunakaran

For Respondents : Mr.R.Sasikumar  
Government Advocate (for R1 to R5)

: Mr.V.Vijayshankar  
Standing Counsel (for R6)

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**ORDER**

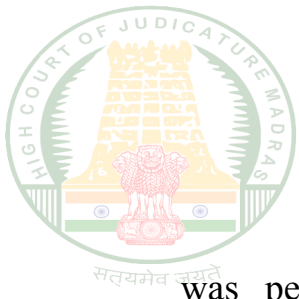


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The Petitioner has filed this writ petition seeking a Certiorarified Mandamus, to quash the impugned order in Na.Ka.No.1453 / Admn3(2)/2023 Dated 20.09.2023 issued by the 2<sup>nd</sup> respondent and consequently, to grant pension to the petitioner under the Tamil Nadu Pension Rules 1978 (Old Pension Scheme) by counting 50% of services rendered by the petitioner from 07.11.1979 to 17.05.2007 as Child Welfare Organizer (Anganwadi Worker) along with the regular service in the post of Supervisor Grade II from 18.05.2007 to 04.06.2013 and Supervisor Grade I from 05.06.2013 – 28.02.2019 as qualifying service since her selection process for appointment to regular service done in the year 1995 – 96 or grant pension higher than Rs.2,000/- as per the proposal sent by the 2<sup>nd</sup> respondent to the 1<sup>st</sup> respondent.

2. The learned counsel for the petitioner would submit that the petitioner rendered unblemished service in Social Welfare and Nutritious Meal Programme Department from 07.11.1979 to 28.02.2019. The learned counsel for the petitioner would submit that she has been regularised on 18.05.2007 under the pay scale of 3200-80-490 in Group-D. It is the further submission of the petitioner that she attained age of superannuation and she



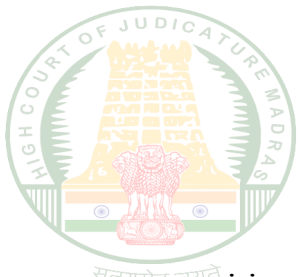
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was permitted to retire from service on 28.02.2019. However, while calculating the pension, the respondents did not take into consideration the petitioner's initial appointment and has granted pension only from the date of her regularisation. The learned counsel for the petitioner further submits that though the respondents have rejected her claim by the impugned order dated 20.09.2023 they have not considered the petitioner's entire claim. Hence, prayed to interfere with the same.

3. The contention of the petitioner was strongly objected by Mr.R.Sasikumar, learned Government Advocate, who is appearing on behalf of the respondents 1 to 5 and Mr.V.Vijayshankar, learned Standing Counsel, who is appearing on behalf of the 6<sup>th</sup> respondent.

4. The main ground urged by the learned counsel for the petitioner is that her initial date of joining must be taken into consideration for the purpose of calculating her pension. However, the learned counsel would fairly admit that she was regularised on 18.04.2007 and her initial appointment not in the regular employment. Therefore, the very regularisation itself was the benefit given by the Government to the



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petitioner.  
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5. When the petitioner accepts the date of regularisation as 18.05.2007 without any demur, now cannot turnaround and argue before the Court that her pension has to be calculated from the date of his initial appointment, where she was initially appointed only as the contractual employee. Therefore, when the regularisation order is not challenged, the petitioner's grievance of taking into consideration of her initial date of appointment for calculating pension does not arise.

6. It is the further submission of the petitioner that even the CPS granted in favour of the petitioner is not in accordance with proper calculation. But this Court do not want to go into the disputed facts at this stage.

7. In view of the above detailed discussion, there is no merits in the writ petition. However, the petitioner is given liberty to challenge the quantum of pension before an appropriate forum in accordance with law.



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8. In view of the same, the Writ Petition is dismissed. No costs.

**04.06.2025**

Index : Yes  
Speaking order  
Neutral Citation : Yes/No  
dm



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**C.KUMARAPPAN, J.**

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