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W.P.No.19259 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 10.06.2025**

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

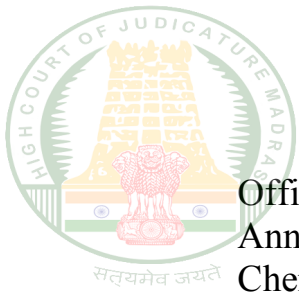
**W.P.No.19259 of 2025**

D.Kasthuri Bai

... 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,  
Commissionerate 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,  
Chennai.
- 5.Child Development Project Officer,  
Project 10,  
Integrated Child Development Services Scheme,  
Guindy, Chennai - 600 032.
- 6.Accountant General,



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Office of the principal Accountant General,  
Anna Salai, Teynampet,  
Chennai - 600 018.

... Respondents

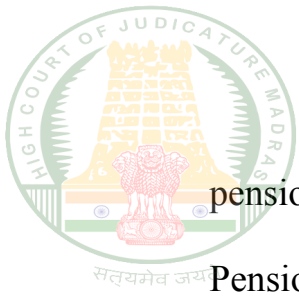
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**Prayer:** Writ Petition filed under Article 226 of Constitution of India, seeking for an issuance of writ of Certiorarified Mandamus directing the respondents to quash the impugned order No.Na.Ka.No.1453/Admn3(2)/2023 Dated 20.09.2023 issued by the 2nd 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 18.08.1980-25.09.2008 as Child Welfare Organizer (Anganwadi Worker) along with the regular service in the post of Supervisor Grade II from 26.09.2008 - 31.05.2011 as qualifying service since her selection process for appointment to regular service done in the year 1998 or grant pension higher than Rs.2000/- as per the proposal sent by the 2nd respondent to the 1st respondent.

For Petitioner : Mr.U.Karunakaran  
For Respondents 1 to 5 : Mr.N.Naveen Kumar,  
Government Advocate  
For Respondent 6 : Mr.V.Vijay Shankar  
Standing Counsel

### **ORDER**

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 2nd respondent and consequently grant



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pension to the petitioner under the Tamil Nadu Pension Rules 1978 (Old Pension Scheme) by counting 50% of services rendered by the petitioner from 18.08.1980-25.09.2008 as Child Welfare Organizer (Anganwadi Worker) along with the regular service in the post of Supervisor Grade II from 26.09.2008 - 31.05.2011 as qualifying service since her selection process for appointment to regular service done in the year 1998 or grant pension higher than Rs.2000/- as per the proposal sent by the 2nd respondent to the 1st 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 18.08.1980-31.05.2011. The learned counsel for the petitioner would submit that she has been regularised on 26.09.2008. It is the further submission of the petitioner that she attained age of superannuation and she was permitted to retire from service on 31.05.2011. 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



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entire claim. Hence, prayed to interfere with the same.

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3. The contention of the petitioner was strongly objected by Mr.N.Naveen Kumar, Government Advocate, who appearing on behalf of the respondents 1 to 5 and Mr.V.Vijay Shankar, learned Standing Counsel, who is appearing on behalf of the 6th 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 admits that she was regularised on 26.09.2008 and her initial appointment is not a regular employment but on contractual basis. Therefore, the very regularisation itself was the benefit given by the Government to the petitioner.

5. When the petitioner accepts the date of regularisation as 26.09.2008 without any demur for all these years, now cannot turnaround and argue before the Court that her pension has to be calculated from the date of her 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



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appointment for calculating pension does not arise.

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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.

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

**10.06.2025**

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Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No

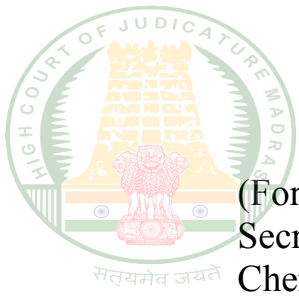
**C.KUMARAPPAN, J.**

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To

1.The Principal Secretary to the Government,  
Social Welfare and Women Empowerment Department,

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(Formerly Social Welfare and Nutritious Meal Programme Department),  
Secretariat, Fort St.George,  
Chennai - 600 009.

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2.The Director cum Social Welfare Commissioner,  
Commissionerate of Social Welfare and Women Empowerment,  
(Formerly Social welfare and Nutritious meal programme Department)  
Lady Willingdon College Campus,  
Kamarajar Salai,  
Chennai - 600 005.

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3.The Director cum Mission Director,  
Integrated Child Development Services Scheme,  
Tharamani, Chennai - 600 113.

4.District Project Officer,  
Integrated Child Development Services Scheme,  
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