



WEB COPY



W.P.No.32119 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.08.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 32119 of 2025

K.Sumathi

...Petitioner

Vs.

1.The Secretary to Government
Health and Family Welfare Department,
Fort St.George,
Chennai

2.The Director
Directorate of Medical and Preventive Medicine,
DMS Complex, Teynampet,
Chennai.

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issue of Writ of Mandamus, directing the first and second respondents to consider and pass orders on the representation made by



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the petitioner dated 8.7.2025 to include the petitioner in the General Provident Fund with all service and monetary benefits.

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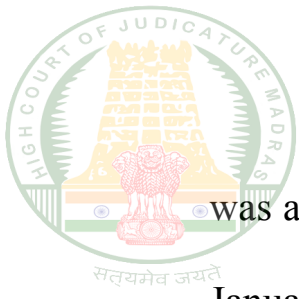
For Petitioner : Mr. J.Pooventherarajan
For Respondents : Mr. M.Bindran
Additional Government Pleader.

ORDER

The Writ Petition is filed for the following relief:

“directing the first and second respondents to consider and pass orders on the representation made by the petitioner dated 8.7.2025 to include the petitioner in the General Provident Fund with all service and monetary benefits”.

2. The petitioner was initially appointed as an Anganwadi Worker in 1984 under a consolidated pay. She completed the Multipurpose Health Worker (Female) Course from 1994 to 1996. She



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was appointed as a Village Health Nurse with a regular scale of pay on January 5, 2004, and joined the service on January 23, 2004. She retired from service on June 30, 2025 after serving for a total of approximately 21 years as a Village Health Nurse and a combined service period from 1984. Despite her continuous service since 1984, the respondents enrolled her in the Contributory Pension Scheme (CPS) which was introduced by the Government of Tamil Nadu for employees appointed on or after April 1, 2003. This scheme exempts employees from the benefits of the Tamil Nadu Pension Rules, 1978, which include the GPF and other pensionary benefits.

3. The petitioner contends that her service prior to her regularisation in 2004 should be counted as qualifying service for pension purposes. Since her initial appointment was in 1984, she argues that she should be deemed to have qualifying pensionable service prior to the April 1, 2003 cut-off date, making the Contributory Pension Scheme inapplicable to her. Therefore, the petitioner has submitted a representation to the respondents on July 8, 2025



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requesting her inclusion in the GPF scheme, but there has been no response. Therefore, the writ petition.

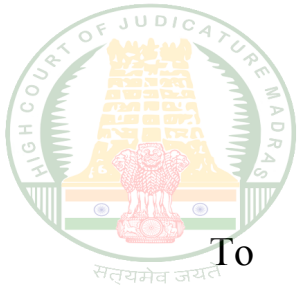
4. Heard the learned counsels and perused the records.

5. Considering the facts and circumstances of the case and the fact that the petitioner's representation dated 08.07.2025 has not been considered to date, the Writ Petition is allowed. The respondents are directed to consider the petitioner's representation dated 08.07.2025 and pass order on merits within a period of 2 months from the date of receipt of a copy of this order. No costs.

28.08.2025

Index : Yes/No
Internet : Yes/No

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To

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