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W.P.No.30287 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 7/4/2025

C O R A M

The Hon'ble **Mrs.JUSTICE V.BHAVANI SUBBAROYAN**

Writ Petition No.30287 of 2023

1. P. Manickam
2. R.Rajendiran
3. R. Gunasekaran
4. D. Subramanian
5. D. Narayanasaamy
6. A. Veeramuthu
7. N. Umarani
8. S. Nehru
9. Natarajan
10. Govindaraj
11. Thirugnanasambantham
12. Thavasilan
13. Durairaj
14. R. Mani
15. Vijayapandiyan

...

Petitioners

Vs

1. The State of Tamil Nadu
rep. By its Principal Secretary to Government
Fort St. George
Secretariat
Chennai 600 009.
2. The Director
Social Welfare & Nutrition Meal Department
Ezhilagam, Chepauk
Chennai 600 005.

...

Respondents.



W.P.No.30287 of 2023

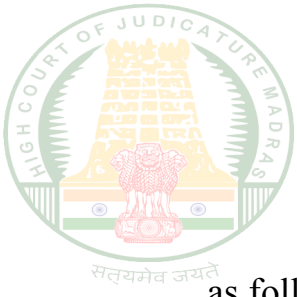
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PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to consider and pass orders on the representation of the petitioners dated 30/6/2023 regarding the enhancement of special pension of the petitioners, in the light of the decision rendered by this Court in W.P.No.8917 of 2017 dated 7/1/2022 within a time frame.

For petitioner	...	Mr.M.Padmanaban
For respondents	...	Mr.P.Kumaresan AAG assisted by Mr.R.U.Dinesh Rajkumar AGP

ORDER

This writ petition has been filed to direct the respondents to consider and pass orders on the representation of the petitioners dated 30/6/2023 regarding the enhancement of special pension of the petitioners, in the light of the decision rendered by this Court in W.P.No.8917 of 2017 dated 7/1/2022 within a time frame.



2. The crux of the facts which led to the filing of the writ petition are as follows:-

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The petitioners are the retired Noon Meal Organisers. They are drawing a Special Pension. Since their quantum of pension is very meagre, they could not meet the basic requirements of life. Hence, made a representation dated 30/6/2023 before the respondents. Since the same has not been considered, they have come forward with the instant writ petition.

3. Heard Mr.M.Padmanaban, learned counsel for the petitioner, Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader for the respondents.

4. Appearing on behalf of the petitioners, the learned counsel submits that even though their services have been described as “Permanent and Part time”, they have not been regularised as that of regular employees and that a meagre payment as Special Pension was not enough to take care of the petitioners or their family, considering the devaluation of money due to inflationary trends.



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5. Mr.P.Kumaresan, learned Additional Advocate General appearing for the respondents would submit that though Noon Meal Organisers are eligible for annual increment, maternity leave, compassionate appointment, medical allowance, etc., while in service, they cannot be equated on par with regular government employees either for grant of any enhanced pension or government pension under the Recruitment Rules.

6. The learned Additional Advocate General would rely on the order, dated 7/1/2022, made in W.P.No.8917 of 2017 (***S.KRISHNARAJ Vs. 1. THE PRINCIPAL SECRETARY TO GOVERNMENT, GOVERNMENT OF TAMIL NADU, SOCIAL WELFARE & NUTRITIOUS MEAL DEPARTMENT, SECRETARIAT, FORT ST. GEORGE, CHENNAI AND ANOTHER***), which is similar to that of the instant writ petition, wherein the learned Single Judge of this Court has remitted the matter to the second respondent therein and directed to reconsider the case of the petitioner therein and further directed to complete the said exercise within a period of six months from the date of receipt of the said order.



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7. Being aggrieved, the Principal Secretary to Government, Government of Tamil Nadu, Social Welfare & Nutritious Meal Department, Secretariat, Fort St. George, Chennai has challenged the above said writ petition before the Hon'ble Division Bench in W.A.No.829 of 2024 and the Hon'ble Division Bench, vide, order dated 12/3/2024 has admitted the Writ Appeal and granted interim stay. In view of the above backdrop, the learned Additional Advocate General would submit that case of the petitioners will not be considered at this stage, and the same will be considered after the outcome of the result to be made in W.A.No.829 of 2024.

8. Recording the submission of the learned Additional Advocate General, this writ petition is closed, as there is no necessity to keep the writ petition pending. The respondents are directed to consider the case of the petitioners after the outcome of the Writ Appeal in W.A.No.829 of 2024.

No costs.

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mvs.

Index: Yes/No

Neutral Citation: Yes/No

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V.BHAVANI SUBBAROYAN,J

mvs.

To

1. The Principal Secretary to Government
State of Tamil Nadu
Fort St. George
Secretariat
Chennai 600 009.
2. The Director
Social Welfare & Nutrition Meal Department
Ezhilagam, Chepauk
Chennai 600 005.

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