



W.P.No.9205 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No. 9205 of 2024

S.Bharathi

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep. By its Additional Chief Secretary to Government,
Finance Department,
Fort St.George, Chennai – 600 009.

2.The Secretary,
Social Welfare and Women Empowerment Department,
Fort St.George, Chennai – 600 009.

3.The Director of Social Welfare,
Directorate of Social Welfare,
Lady Willington College Campus,
Kamarajar Salai, Chennai – 600 005.

4.The Additional Director,
Directorate of Social Welfare,
Lady Willington College Campus,
Kamarajar Salai, Chennai – 600 005.

....Respondents



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PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 4th respondent in connection with the impugned order bearing Reference No.Na.Ka.No.7167/NIRU.4(2)/2023 dated 08.11.2023, quash the same and direct the respondents to accord the petitioner benefit of Non-Contributory Pension Scheme obtaining before 01.04.2003.

For Petitioner : Mr.M.Karthikeyan

For Respondents : Mr.R.U.Dinesh Raj Kumar
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the order dated 08.11.2023 passed by the 4th respondent and to direct the respondents to accord the petitioner benefit of Non-Contributory Pension Scheme obtaining before 01.04.2003.

2. The learned counsel appearing for the petitioner would submit that the petitioner participated in the examination conducted for filling up the vacancies in the Social Welfare Department to the cadre of Junior Assistant



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in the year 1998-1999 under the quota reserved for the women. He would further submit that she should have appointed in the quota for women therefore, in the year 2000, the petitioner has approached the Tamil Nadu Administrative Tribunal by filing O.A.No.4514 of 2000 to declare that the allotment of posts reserved for women under the general category exclusively to the destitute widows for the Group-4 service selection for the year 1998-1999 was illegal, arbitrary and unconstitutional and with an interim prayer to keep one post of Junior Assistant/ Typist vacant.

3. The Administrative Tribunal passed an interim order on 24.07.2000 to keep one post vacant in the general category for women. Thereafter, after abolition of TNSAT, the matter was transferred to this Court and renumbered as W.P.No.32147 of 2025 and this Court, by its order dated 15.02.2006 disposed of the said writ petition, directing to keep atleast one vacancy reserved at the time of appointment can be allowed to the woman who had applied under the General women quota, pursuant to which, the petitioner was appointed as Junior Assistant cum Typist and joined duty on 23.10.2006. However, the grievance of the petitioner is that the year of appointment is



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2000 whereas the CPS scheme was introduced on 01.04.2003. Accordingly, he prayed for appropriate orders.

4. The learned Additional Government Pleader appearing for the respondents would submit that the State Government has taken a policy decision and introduced new scheme namely, Tamil Nadu Assured Pension Scheme (TAPS) and in view of the new scheme, this Court may grant liberty to the petitioner to approach the Government for appropriate remedy.

5. In view of the same, this Writ Petition is disposed of, granting liberty to the petitioner to approach the Government for appropriate remedy.
No costs.

05.01.2026

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
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To

- 1.The Additional Chief Secretary to Government,
Government of Tamil Nadu,
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M.DHANDAPANI, J.

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