

(2010) 09 MAD CK 0244

In the Madras High Court

Case No : Writ Petition No. 1104 of 2007

E. Saraswathi

APPELLANT

Vs

The Director of Social Welfare and Nutritious Programme and
The District Social Welfare Officer

RESPONDENT

Date of Decision : 17-09-2010

Acts Referred:

Citation : (2010) 09 MAD CK 0244

Hon'ble Judges : D. Hariparanthaman, J

Bench : Single Bench

Advocate : K. Thennan, for the Appellant; Lita Srinivasan, Government Advocate, for the Respondent

Final Decision : Allowed

Judgement

D. Hariparanthaman, J.—The Original Application in O.A. No. 4764 of 2000 before the Tamil Nadu Administrative Tribunal is the present Writ Petition.

2. The Petitioner was appointed as Child Welfare Organiser on 01.03.1971 on consolidated pay. She served in the said post for the past 17 years from 01.03.1971 to 04.05.1988. The Petitioner was promoted as Rural Welfare Officer on regular basis from 05.05.1988 and she continued in the said post upto 31.12.1997. She retired from service on 31.12.1997 on reaching the age of superannuation. She worked in the post of Rural Welfare Officer for 9 years, 7 months and 26 days. The Petitioner was denied pension by the impugned order dated 24.08.1999 on the ground that the Petitioner did not render 10 years of service. The Petitioner filed O.A. No. 4764 of 2000 (W.P. No. 1104 of 2007) to quash the aforesaid order dated 24.08.1999 and for direction to pay pension.

3. The Petitioner has produced G.O. No. 408, Finance (Pension) Department, dated 25.08.2009 providing pension by taking into account 50% of the service rendered by a person on consolidated pay. The other condition is that the person who worked on full time basis in consolidated pay should have been regularised

before 01.04.2003 to become eligible for pension under the G.O. The relevant para 3 of the G.O. is extracted hereunder:

4. The Petitioner has satisfied all those conditions. Hence, the impugned order is quashed and the first Respondent is directed to send the pension proposals within a period of four weeks to the Accountant General for sanctioning of pension. The Accountant General is directed to pass appropriate order sanctioning pension within a period of three weeks, thereafter. The writ petition is allowed accordingly. No costs.