



W.P.(MD)Nos.17811, 18139, 18150, 18726,
18746, 18880, 19136, 19191, 19330, 20056, 21104,
19197, 21130, 21380, 18385, 12810, 22324, 10925, 12809, 21477, 16971, 12745,
12808, 12811 & 22389 of 2023, 17727 & 17772 of 2020 & 11931 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

RESERVED ON : 19.09.2023

PRONOUNCED ON : .11.2023

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

**W.P.(MD)Nos.17811, 18139, 18150, 18726,
18746, 18880, 19136, 19191, 19330, 20056, 21104,
19197, 21130, 21380, 18385, 12810,
22324, 10925, 12809, 21477, 16971, 12745,
12808, 12811 & 22389 of 2023, 17727 & 17772 of 2020 &
11931 of 2021 (28 cases)
and
W.M.P(MD)No.9568 of 2023**

W.P(MD)No.17811 of 2023:-

1.M.Shahila Begum
2.S.Sakthivel
3.S.Rajkumar
4.S.Monica

... Petitioners

Vs.

1.M.Shahila Begum
2.S.Sakthivel
3.S.Rajkumar
4.S.Monica

... Petitioners

Vs.

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
School Education Department,
Secretariat, Chennai – 9.



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- 2.The Director of School Education,
D.P.I Campus, College Road,
Chennai.
 - 3.The Accountant General (Accounts and Entitlements),
Accountant General Department,
Chennai – 600 18.
 - 4.The Chief Educational Officer,
Madurai,
Madurai District.
 - 5.The Chief Educational Officer,
Trichy,
Trichy District.
 - 6.The Chief Educational Officer,
Virudhunagar,
Virudhunagar District.
 - 7.The District Educational Officer (Secondary),
Sivakasi,
Virudhunagar District.
 - 8.The District Educational Officer (Secondary),
Lalgudi,
Trichy District.
 - 9.The District Educational Officer (Secondary),
Madurai,
Madurai District.
- ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents herein to take 50% of service rendered by the first petitioner as part



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time vocational instructors drawing consolidated pay between 20.09.1996 to 09.06.2002 along with regular service from 10.06.2002 and the service rendered by the second petitioner as part time vocational instructors drawing consolidated pay between 20.09.1996 to 09.06.2002 along with regular service from 10.06.2002 and the service rendered by the third petitioner as part time vocational instructors drawing consolidated pay between 30.09.1985 to 15.10.1992 along with regular service from 16.10.1992 and the service rendered by the fourth petitioner as part time vocational instructors drawing consolidated pay between 06.01.1987 to 15.10.1992 along with regular service om 16.10.1992 for calculating the qualifying service, for the purpose of pension and the quantum of pension under Rule 43(2) of the Tamil Nadu Pension Rules and to sanction pension and other pensionary benefits and also to pay arrears within the time limit fixed by this Court.

For Petitioner	: Mr.V.Uthayakumar
For RR 1, 2 & 4 to 9	: Mr.R.Baskaran Additional Advocate General Assisted by Mr.N.Ramesh Arumugam Government Advocate
For R – 3	: Ms.S.Mahalakshmi



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COMMON ORDER

The relief sought for in the above Writ Petitions are for directions to direct the respondents to take into account 50% of the services rendered by the writ petitioners as part-time Vocational Instructors from the date of initial appointment till the date of regularisation for the purpose of retirement benefits, including pensionary benefits.

2.Heard the learned counsel appearing on either side and perused the materials available on record.

3.The petitioners are Vocational teachers and the above Writ Petitions are filed for counting 50% of the past services from the initial date of appointment till the time scale of pay was given for retirement benefits. A batch of Writ Petitions were allowed which were confirmed by the Hon'ble Division Bench of this Court and the Government also issued orders granting such benefits.

4.However following the mandates of G.O.Ms.No.194,



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School Education (SE7-1) Department, dated 12.09.2018, Writ Appeal No.882 of 2017 etc., batch, dated 06.04.2018 was disposed of in which it was held that only those Vocational teachers whose Writ Petitions were allowed or pending as on 06.04.2018 are eligible to get the same and not to other teachers, who approached this Court after 06.04.2018.

5.Rule 11(4) of the Tamil Nadu Pension Rules 1978 has specifically declared that 50% of the past service rendered by the employees, who were initially appointed in consolidated pay and who were brought in regular service before 01.04.2003, shall be counted for retirement benefits along with regular service, since the petitioners/Vocational teachers, after appointment, were working continuously and handling the vocational subject for the higher secondary stream, involving whole-time employment. The petitioners who were continuously in service on consolidated pay from the date of initial appointment till regularisation deserve 50% of such service rendered by them for calculating their retirement benefits. This Court in its order passed in WA(MD)No.392 of 2017 etc., batch has recognized that the vocational teachers deserve 50% of such service



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rendered by them for calculating the retirement benefits. But the Government vide G.O.Ms.No.194, School Education (SE7-1) Department, dated 12.09.2018, granted benefits to only those teachers who filed Writ Petitions/Writ Appeals which were either allowed or which were pending as on 06.04.2018. Thus, the benefits were restricted only to those teachers who approached this Court prior to 06.04.2018 and the Government denied the same benefit to the others, who were similarly placed. This arbitrary and discriminatory action of the Government is violative of Article 14 of the Constitution of India resulted in juniors getting more pension than seniors.

6.Though the Writ Petitioners herein have belatedly approached this Court ie., after 06.04.2018, 50% of service rendered by them as part-time Vocational Instructors either as single part-time or double part-time has to be counted for the purpose of computing pension and other retiral benefits.

7.It is needless to say that the writ petitioners herein after being appointed as Vocational teachers were working continuously and handling the Vocational subject for higher secondary stream involving



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whole-time employment. That apart, as observed in W.P(MD)No.392 of 2017 etc., batch, dated 21.04.2017 and by virtue of G.O.Ms.No.408, dated 25.08.2009 and G.O.Ms.No.118, dated 14.02.1996, the petitioners employment being whole time employment were brought in regular service before 01.04.2003. Therefore, 50% of their past service shall be counted for retirement benefits along with regular service.

8.The Hon'ble Division Bench of this Court in ***W.A.Nos.882 of 2017 etc., batch, dated 06.04.2018***, disposed of those writ appeals directing to count 50% of the services rendered by Vocational teachers as part-time Vocational Instructors (either as single part-time or double part-time Vocational Instructor) for the purpose of computing pension and other retirement benefits. In addition to that, the said benefit was extended by the Hon'ble Division Bench of this Court not only to the Vocational teachers who were parties to those writ appeals but also for all those persons who are similarly situated like that of those Vocational teachers and whose cases were pending. But the Hon'ble Division Bench of this Court in the aforesaid Judgment included a rider making it clear that the said



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benefits shall not be extended to any other future cases that may be filed on this account on the ground of delay and laches since all along they have not come up before this Court and remained as fence-sitters. However, the Hon'ble Division Bench of this Court in **W.A(MD)Nos.2133 of 2019 etc., batch, dated 03.03.2023**, relied upon the order passed by this Court in **W.P(MD)No.14365 of 2014** in the case of **A.Ramalingam Vs. The State of Tamil Nadu** and others and the relevant portion of which is extracted as follows:

"Para19. Further, it is a settled proposition of law that, in service matters, if the similarly placed persons, who are entitled to get the benefit under law, having been denied the benefit, even though in this regard already a decision has been rendered by the Court of law and the same is implemented, the very same relief shall also be extended to all similarly placed persons irrespective of the fact, whether they approached the Court or not, if the law declared by the Court is a judgement in rem.

Para 21. Moreover, the cause of action arose in these kind of cases are continuous cause of action as each of the petitioners, who are the erstwhile employees of the respective employer/State would be entitled to get the pensionary benefits till their lifetime. Thereafter, the legal heirs would be entitled to get the



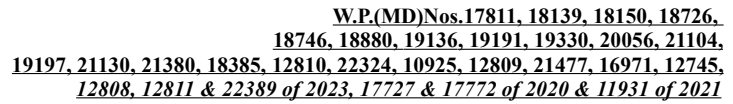
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family pension benefits.

Para 41. If the said principle is applied to the facts of the present case, except the decision dated 06.04.2018 of a Division Bench of this Court, no other Division Bench either prior to or after to that, has taken any different view, as the one taken in the said judgment and in all other Division Bench judgments, a uniform and consistent stand taken by this Court was that, the benefit of taking into account 50% of the services rendered by the employees before they brought into regular service shall be the basis for calculating for the purpose of pension and retiral benefits. Even in the said judgment dated 06.04.2018 in W.A.No.882/2017, that view was accepted and endorsed by the said Division Bench also, but the only embargo the Division Bench has put in that, the said benefit cannot be extended to those who come to the Court hereafter. In order to meet out the said embargo, the aforesaid judgments of the Hon'ble Apex Court, as referred to above, with regard to the continuous cause of action and the benefit, which has been declared by the Court through a judgment in rem has to be extended to similarly placed persons, had been quoted.

"Para 44. In view of the aforesaid judgments, wherein the issue as has been put forth by the learned counsel for the petitioners, having been dealt with and decided more than once by the Writ



Para 45. In the result, these writ petitions are allowed and the respective respondents in each of the writ petitions are hereby directed to take into account the 50% of the past services rendered by each of the petitioners either as Vocational Instructors or any other employment either as a Part Time / Full time / adhoc / temporary / daily wages employees before they brought in under the regular time scale of pay on permanent basis or absorption and by calculating the said 50% of their past service, pension eligibility and pension enhancement or difference of pay and pension shall be calculated and disbursed in favour of the respective petitioners. After fixing the revised pension by taking into account the past 50% services, the



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revised pension arrears shall be calculated and to be disbursed to the petitioners within a period of 12 weeks from the date of receipt of a copy of this order. It is needless to mention that the petitioners shall continue to receive the revised pension.'

9.The Hon'ble Division Bench of this Court in the aforesaid batch of Writ Appeals held that though the writ petitioners have approached the Court with a few months delay and it is not in dispute that for the purpose of fixation of the cut-off date they would be entitled to the benefits of service rendered by them as Vocational teachers. Recording the fact that the persons similarly placed have been granted the benefits by referring to various judgments of the Honourable Apex Court and the Hon'ble Division Bench of this Court held that the respondent officials cannot deny the lawful right of the petitioners which have already accrued to them and has been continuously accruing and concluded that restricting the benefits only to those petitioners who approached this Court prayer to 06.04.2018 and denying the benefit to the petitioners who are similarly placed is unreasonable and arbitrary.



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10. In yet another case in a batch of Writ Appeals in **W.A.Nos.2907 of 2019 etc. batch**, the Hon'ble Division Bench of this Court by order dated 29.08.2023 has dealt with the similar matter and the relevant portion of which is extracted as follows:-

"5. Further, recently a Division Bench of this Court in a batch of writ appeals in W.A.Nos.2133 of 2019, dated 03.03.2023 had approved the view taken by one us (Mr.R.SURESH KUMAR, J.), the relevant portion of the judgment is extracted hereunder:

"8. No doubt, the writ petitioners have approached the Court with few months delay and it is not in dispute, that, but for the fixation of cut-off date, they would have been entitled to the benefits of service rendered by them as vocational teachers. The learned Single Judge in the common order in W.P.No. 14365 of 2014 dated 09.07.2018 had also referred the common judgment dated 06.04.2018 made in W.A.No.882 of 2017 etc., and having noted the fact that persons similarly placed have been granted the benefits by referring to various judgments of the Hon'ble Supreme Court of India had held that the petitioners in those writ petitions

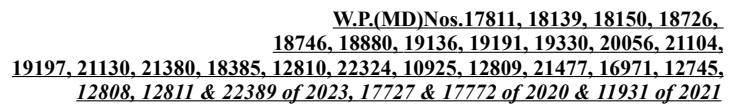


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are also entitled to such benefits. Therefore, the principle as enunciated in the above said order is that, the respondents/officials cannot deny the lawful right of the appellants/petitioners herein, which have already accrued to them and has been continuously accruing. Therefore, restricting the benefits only to those petitioners who approached this Court prior to 06.04.2018 and denying the same to the appellants/petitioners who are similarly placed is unreasonable, arbitrary and violative of the Article 14 of the Constitution of India.

9.Further more, the learned counsel appearing for the appellants/petitioners would submit that the writ petitions filed by the appellants/petitioners were disposed, following the G.O.Ms.No.194 dated 12.09.2018. However, a Writ petition in W.P.(MD).No.22785 of 2019 etc. batch dated 05.11.2019 was filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the impugned G.O.Ms. No.194, dated 12.09.2018 issued by the first respondent and quash the same with regard to the cutoff date i.e., 06.04.2018 and directing the respondents to take the 50% of the part time service rendered by the petitioner in that writ petition.



"Placing reliance on the observation made in W.P.(MD).No.14365 of 2014 etc., batch, this Court has passed the following order :

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11. Therefore, the respondents cannot deny the lawful right of the appellants/petitioners herein by virtue of G.O.Ms.No.194 dated 12.09.2018 for the reason that the cut-off date in the said G.O has been quashed in the above mentioned writ petitions. Therefore, the objections raised by the respondent/officials are liable to be rejected, accordingly they are rejected. The appellants/petitioners are entitled to, for calculating 50% of the past services, rendered by each of the petitioner in the respective employment before they got absorbed by bringing them under the time scale of pay irrespective of the years of service, for the purpose of pensionary benefits. Accordingly, this point is answered.

12. In the result, these writ appeals are allowed subject to the above observations, setting aside the orders in all the writ petitions mentioned above. Consequently, connected writ petitions are allowed. The respective respondents in each of the writ appeals/writ petitions are hereby directed, after fixing the revised pension by taking into account the past 50% services, the revised pension arrears shall be calculated and to be disbursed to the appellants/petitioners within a period of twelve weeks from the date of receipt of a copy of this



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order. No costs.

6. The Government after taking into consideration of various subsequent judgments had issued G.O.Ms.No.127, School Education(புக(7)1)Department, dated 12.07.2023, wherein the Government had directed to take into account the 50% of service that has been rendered as part time Vocational Instructors from the date of initial appointment till the date of regularization in respect of 563 persons who had approached the Court after 06.04.2018. The relevant portion of the Government order is extracted hereunder:

"6.மேற்கண்ட சூழ்நிலையில் மாண்புமிகு சென்னை உயர்நீதிமன்றம் மற்றும் சென்னை உயர்நீதிமன்ற மதுரை கிளையில் பெறப்பட்ட தீர்ப்பாணைகளுக்கிணங்கவும். நீதிமன்ற அவமதிப்பு வழக்குகளை தவிர்க்க வேண்டியும். வழக்கு ஆலோசனை மற்றும் மேற்பார்வைக் குழுவின் கருத்தின்படிப்படையிலும். பள்ளிக் கல்வி ஆணையரின் கருத்துருவினை அரசு கவனமுடன் பரிசீலித்து அதனை ஏற்கலாம் என முடிவு செய்து. அவ்வாறே 06/04/2018க்குப் பின்னர் வழக்கு தொடுத்து தீர்ப்பாணை பெற்ற அரசு மற்றும் அரசு உதவிபெறும் மேல்நிலைப் பள்ளிகளில் பணிபுரிந்து ஓய்வு பெற்ற 20 தொழிற்கல்வி ஆசிரியர்களது 50% பகுதிநேர பணிக்காலத்தினை ஓய்வூதியத்திற்கு கணக்கில் எடுத்துக் கொள்ள அனுமதித்து ஆணை வெளியிடப்பட்டதற்கு பின்னேற்பு அனுமதி அளித்தும். 01/04/2003க்கு முன்னர் பணிவரன்முறை செய்யப்பட்ட அரசு அரசு உதவிபெறும். நகராட்சி மற்றும் மாநகராட்சி பள்ளிகளில்



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பணிபுரியும் மற்றும் ஓய்வு பெற்ற தொழிற்கல்வி ஆசிரியர்களில். அரசாணை (நிலை) எண்/194 பள்ளிக் கல்வித் துறை நாள் 12/09/2018இல் குறிப்பிடப்பட்டுள்ள நாளான 06/04/2018க்குப் பின்னர் வழக்கு தொடுத்து தீர்ப்பாணை பெற்றுள்ள 460 தொழிற்கல்வி ஆசிரியர்கள் (454+6) மற்றும் வழக்குகள் நிலுவையில் உள்ள 103 தொழிற்கல்வி ஆசிரியர்கள் ஆக மொத்தம் 563 தொழிற்கல்வி ஆசிரியர்களுக்கு நீதிமன்றத்தில் நிலுவையில் உள்ள மேல்முறையீடு மற்றும் சீராய்வு மனுக்களில் பிறப்பிக்கப்படும் இறுதி தீர்ப்புக்குட்பட்டு அவர்களின் பகுதிநேர பணிக்காலத்தில் 50 விழுக்காட்டை ஓய்வூதியத்திற்கு கணக்கில் எடுத்துக் கொள்ள பள்ளிக் கல்வி இயக்குநருக்கு அனுமதி அளித்தும் அரசு ஆணையிடுகிறது."

11.Even in the instant case, the petitioners were appointed as part-time Vocational Instructors and thereafter their services were regularised prior to 01.04.2003. Hence, in view of all the discussions supra, they are also entitled for counting 50% of the past service rendered as part-time Vocational instructors for calculating their pension. Therefore, the respondents are directed to take into consideration 50% of the service rendered by them from the date of initial appointment till the date of regularisation as part-time Vocational Instructors that each of the petitioners has put in and recalculate their



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pension that is paid to the petitioners. In the circumstances of the case, it would be incumbent upon the Government to issue a fresh order with respect to all these writ petitioners by taking into account 50% of service rendered by them from the date of initial appointment till the date of regularisation as part-time Vocational Instructors.

12.Of the 28 Writ Petitioners herein, out of four writ petitioners, the petitioner/M.Sahila Banu in W.P(MD)No.17811 of 2023 and the petitioners in W.P(MD)Nos.18726, 18746, 19197, 21130 and 21380 of 2023 are continuing in service now. When they attain their respective age of superannuation, they will be entitled for counting 50% of their past service rendered as part-time Vocational Instructors for calculating their pension. Hence the respondents are directed to take into consideration 50% of the service rendered by them from the date of initial appointment till the date of regularisation as part-time Vocational Instructors which each of the petitioners have put in and calculate their respective pension on their superannuation. The details of these six Writ Petitioners who are serving are tabulated for easy appreciation as below:-



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Sl. No.	Writ Petition number	Name of petitioner	Period of service part time service	period of service rendered after regularizati on	Date of retirement	Last served School
1.	17811 of 2023	M.Shahila Begum	20.09.1996 to 09.06.2002	10.06.2002 to 16.05.2025	16.05.2025	Muslim Higher Secondary School, Sivakasi
2.	18726 of 2023	N.Ravichandran	10.06.1996 to 09.06.2002	10.06.2002 to 31.01.2024	31.01.2024	Thiruvaduthurai Adheenam Higher Secondary School, Thiruvidadaimar uthur
3.	18746 of 2023	R.Sekar	19.08.1988 to 06.11.1996	07.11.1996 to	In service	Government Higher Secondary School, Thanjavur.
4.	19197 of 2023	S.Manimuthu	05.01.1991 to 04.10.1996	05.10.1996 to	In service	A.V.Higher Secondary School, Paramakudi.
5.	21130 of 2023	J.Thamailmaran	20.07.1988 to 04.10.1996	05.10.1996 to	In service	N.S.V.V.Boys Higher Secondary School, Pattiveeranpa tti, Dindigul District.
6.	21380 of 2023	R.Edison	10.07.1986 to 04.10.1996	05.10.1996 to	In service	Shanthiniket han Higher Secondary School, Ambinikai, Dindigul District.



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13.The details of the writ petitioners, who are already retired, are tabulated as below:-

Sl. No.	Writ Petition Number	Name of petitioner	Period of Service Part time service	Period of Service rendered after regularization	Date of retirement	Last School served
1.	17727 of 2020	R.John Pandian	30.07.1987 to 15.10.1992	16.10.1992 to 2022	Retired	Government Boys Higher Secondary School, Chrompet, Chengalpattu.
2.	12745 of 2023	S.Samsu Nazer	23.06.1987 to 15.10.1992	16.10.1992 to 31.03.2020	31.03.2020	Syedammal Higher Secondary School, Ramanathapuram.
3.	17811 of 2023	S.Sakthivel	20.09.1996 to 09.06.2002	10.06.2002 to 30.04.2020	30.04.2020	Government Higher Secondary School, Lalgudi, Trichy District.
		S.Rajkumar	30.09.1985 to 15.10.1992	16.10.1992 to 31.05.2019	31.05.2019	Government Higher Secondary School, Vriddhachalam.
		S.Monica	06.01.1987 to 15.10.1992	16.10.1992 to 31.05.2019	31.05.2019	St.Joesph Higher Secondary School, Madurai.
4.	18139 of 2023	G.Pachayee Ammal	19.12.1989 to 04.10.1996	05.10.1996 to 23.04.2020	23.04.2020	Holy Redeemers Girls Higher Secondary School, Palakarai, Trichy.



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5.	18150 of 2023	J.Jeeva	01.07.1989 to 20.12.1994	21.12.1994 to 31.03.2014	31.03.2014	Periyar Maniammal Girls Higher Secondary School, Trichy.
6.	18385 of 2023	T.Star Peeris	12.10.1978 to 26.07.1988	27.07.1988 to 31.08.2012	31.08.2012	St. Xavier Higher Secondary School, Palayamkottai.
7.	18880 of 2023	S.Renganathan	01.08.1984 to 31.03.1990	01.04.1990 to 31.03.2014	31.03.2014	Boiler Plant Government Higher Secondary School, Kailasapuram, Trichy.
8.	19136 of 2023	M.Nagarajan	17.08.1979 to 04.10.1996	05.10.1996 to 29.02.2008	29.02.2008	Government Boys Higher Secondary School, Pugalur.
9.	19191 of 2023	Mrs.Kandavelu	30.07.1979 to 31.03.1990	01.04.1990 to 17.11.2013	17.11.2013	M.A.N.U Girls Higher Secondary School, Madurai.
		P.Subramani	14.11.1978 to 31.03.1990	01.04.1990 to 31.03.2010	31.03.2010	Government Higher Secondary School, Valparai, Coimbatore.
10.	19330 of 2023	Anbalagan	25.11.1988 to 15.10.1992	16.10.1992 to 31.07.2017	31.07.2017	Government Higher Secondary School, Thirukkadaiyur, Mayiladhuthurai District.



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11.	20056 of 2023	M.Singarayan	18.07.1979 to 05.10.1996	06.10.1996 to 30.06.2007	30.06.2007	Government Higher Secondary School, Kulasekaram, Kanyakumari District.
12.	21104 of 2023	S.Vaithilingam	02.08.1982 to 31.03.1990	01.04.1990 to 30.06.2011	30.06.2011	Government Higher Secondary School, Thiruvonam, Thanjavur District.
13.	21477 of 2023	T.Rajeswari	01.04.1988 to 15.10.1992	16.10.1992 to 31.08.2019	31.08.2019	P.R.G Higher Secondary School, Kattumannarkovil Taluk, Cuddalore District.
14.	22389 of 2023	J.Manoharanpunitharaj	15.07.1997 to 11.08.1992	12.08.1992 to 31.11.2016	31.11.2016	Government Higher Secondary School, Thiruvonam, Thanjavur District.

14.During the pendency of these Writ Petitions, the Government has already considered the case of the writ petitioners herein and their respective pension has been calculated vide proceedings dated 04.08.2023, 28.08.2023, 12.07.2023, 28.08.2023, 14.08.2023, 21.08.2023, 14.08.2023, 12.07.2023 and 12.07.2023



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respectively in the light of the above discussion and the details are extracted as below:-

Sl.No	Writ Petition Number	Name of petitioner	Date of retirement	Details
1.	11931 of 2021	Padmavathi	31.05.2022	Proceedings in Na.Ka.No. 4927/A6/2019, dated 28.08.2023 issued by the Chief Educational Officer, Madurai.
2.	22324 of 2021	Sugumar Wife Late.D.Nirm alabai	Retired	Name of writ petitioner herein was included in Serial No.87 annexure G.O.Ms.No.127, School Education Department, dated 12.07.2023.
3.	10925 of 2023	Dhanapal	29.02.2020	Proceedings in Na.Ka.No. 6030/A6/2018, dated 28.08.2023 issued by the Chief Educational Officer, Madurai.
4.	12808 of 2023	Sivalingam	31.05.2017	Proceedings in Na.Ka.No. 458/B/2018, dated 14.08.2023 issued by the Chief Educational Officer, Kanyakumari.
5.	12809 of 2023	Hariharan	28.02.2014	Proceedings in Na.Ka.No. 5849/B3/2023, dated 21.08.2023 issued by the Chief Educational Officer, Tirunelveli.
6.	12810 of 2023	R.Subraman iam	31.05.2018	Proceedings in Na.Ka.No. 4584/B4/2018, dated 14.08.2023 issued by the Chief Educational Officer, Kanyakumari.
7.	12811 of 2023	Ganaprakas am selvaraj		



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8.	16971 2023	of	Ganasekara n		
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15.To conclude, the petitioners are entitled for calculating 50% of the past services rendered by each of the petitioners in their respective employment before they got absorbed by bringing them under the regular timescale of pay irrespective of their years of service for the purpose of pensionary benefits. In view of the same, the first respondent is directed to take into account 50% of service rendered by the petitioners as part-time vocational instructors drawing consolidated pay from the date of initial appointment till the date of regularisation for calculating the qualifying service for the purpose of pension and quantum of pension under Rule 43(2) of the Tamil Nadu Pension Rules and to sanction pension and other pensionary benefits and pass a fresh Government Order in this regard along with the list of beneficiaries i.e petitioners herein within a period of four months from the date of receipt of a copy of this order and thereafter forward the same to the Accountant General (Accounts and Entitlement), Accounts Department, Chennai – 18 and the Accountant General, from the receipt of the copy of the Government order passed by the first respondent, is directed to pay the revised pension along with arrears within a period of four



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months thereafter.

16. With these observations, these Writ Petitions are disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

**.11.2023
(1/6)**

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps

To

1. The Secretary to Government,
School Education Department,
Secretariat, Chennai – 9.
2. The Director of School Education,
D.P.I Campus, College Road,
Chennai.
3. The Accountant General (Accounts and Entitlements),
Accountant General Department,
Chennai – 600 18.
4. The Chief Educational Officer,
Madurai,
Madurai District.
5. The Chief Educational Officer,
Trichy,

25/27



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Trichy District.

6.The Chief Educational Officer,
Virudhunagar,
Virudhunagar District.

7.The District Educational Officer (Secondary),
Sivakasi,
Virudhunagar District.

8.The District Educational Officer (Secondary),
Lalgudi,
Trichy District.

9.The District Educational Officer (Secondary),
Madurai,
Madurai District.



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12808, 12811 & 22389 of 2023, 17727 & 17772 of 2020 & 11931 of 2021

L.VICTORIA GOWRI, J.

ps

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18746, 18880, 19136, 19191, 19330, 20056, 21104,
19197, 21130, 21380, 18385, 12810,
22324, 10925, 12809, 21477, 16971, 12745,
12808, 12811 & 22389 of 2023,
17727 & 17772 of 2020 & 11931 of 2021 (28 cases)**

**.11.2023
(1/6)**