



W.P.(MD)No.13761 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2026

CORAM

THE HONOURABLE MR JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.13761 of 2026

and

W.M.P.(MD)No.10218 of 2026

I.Arunachalam

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
School Education Department,
Secretariat,
Chennai.

2.The Director of School Education,
Chennai.

3.The Accountant General,
(Accounts & Entitlement),
Tamil Nadu,
Chennai.



W.P.(MD)No.13761 of 2026

4.The Chief Educational Officer,
Sivagangai District.

5.The Headmaster,
Government Boys Higher Secondary School,
Thiruppuvanam,
Sivagangai District.

.. Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the 1st respondent in his proceedings Letter(1Pa). No.168/PaKa3(1)/2025 dated 09.10.2025 and quash the same and direct the respondents to calculate 50% of part time service rendered by the petitioner i.e. from 12.02.1990 to 11.11.1997 totally 7 years 8 months and 30 days along with regular service for pension benefits with all consequential benefits.

For Petitioner : Mr.V.Panneer Selvam,
Advocate

For RR1, 2, 4, & 5 : Mr.M.Dinesh Hari Sudarsan,
Counsel for Government of
Tamil Nadu (Civil Side)

For R3 : Mr.P.Gunasekaran,
Advocate

ORDER

This Writ Petition has been filed challenging the order passed by the 1st respondent in his proceedings in கடித(1ப) எண்.168/பக3(1)/2025 dated



W.P.(MD)No.13761 of 2026

WEB COPY

09.10.2025, seeking to quash the same and consequently direct the respondents to calculate 50% of part-time service rendered by the petitioner from 12.02.1990 to 11.11.1997 (totalling 7 years, 8 months and 30 days), along with his regular service for the purpose of pensionary benefits, together with all consequential benefits.

2. Heard Mr.V.Panneer Selvam, learned counsel for the petitioner, Mr.M.Dinesh Hari Sudarsan, learned counsel for Government of Tamil Nadu (Civil Side) for respondents 1, 2, 4 & 5, and Mr.P.Gunasekaran, learned counsel for the 3th respondent.

3. The petitioner herein was initially appointed as a Pre-Vocational Instructor in Agriculture on part-time basis on 12.02.1990 and continued till his services were regularised on 12.11.1997. Thereafter, he continued in regular service and retired on attaining the age of superannuation on 31.05.2024. It was thereafter his pensionary and terminal benefits were settled by taking into account only the service rendered by him from the date of regularization i.e., from 12.11.1997. Thereafter, the petitioner made a claim seeking reckoning of 50% of the service rendered by him as a part-

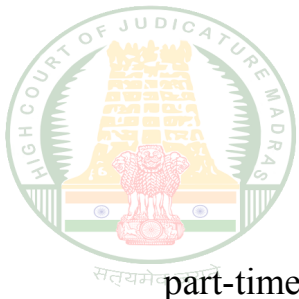


W.P.(MD)No.13761 of 2026

WEB COPY

time Pre-Vocational Instructor from 12.02.1990 to 11.11.1997 for the purpose of pension and other terminal benefits. Pursuant to the order passed by this Court in W.P.(MD)No.509 of 2025, the respondents considered the said claim and rejected the same by the impugned order on the ground that, in terms of Rule 11(4) of the Tamil Nadu Pension Rules, 1978, part-time service cannot be counted and that only full-time temporary service is eligible to be reckoned for pensionary and terminal benefits. Aggrieved by the said proceedings dated 09.10.2025, the petitioner has approached this Court by filling the present writ petition seeking a direction to count 50% of the service rendered by him as a part-time Pre-Vocational Instructor from 12.02.1990 to 11.11.1997 for the purpose of pension and other terminal benefits.

4. The main ground on which the petitioner prays this claim is that several other persons, who were also appointed as Pre-Vocational Instructors on a part-time basis, approached this Court and obtained orders directing the respondents to reckon 50% of the service rendered by them on a part-time basis for the purpose of pension under Rule 11(4) of the Tamil Nadu Pension Rules, 1978. According to the petitioner, although they were designated as

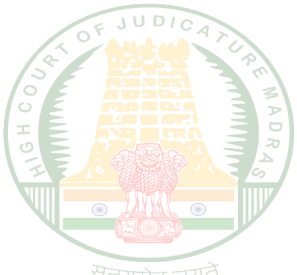


W.P.(MD)No.13761 of 2026

part-time Pre-Vocational Instructors, they had, in fact, discharged duties on a full-time basis. The orders passed by this Court in such cases were also implemented by the Government by issuing various Government Orders from time to time.

5. Notice was issued by this Court, and the 4th respondent filed a counter affidavit reiterating the reasons assigned in the impugned proceedings by placing reliance on Rule 11(4) of the Tamil Nadu Pension Rules, 1978, contending that the part-time service rendered by the petitioner as a Pre-Vocational Instructor cannot be taken into account for pensionary and other terminal benefits. According to the 4th respondent, only full-time temporary service can be reckoned under Rule 11(4) of the Tamil Nadu Pension Rules, 1978.

6. However, it is not in dispute that similarly situated Pre-Vocational Instructors, who were initially appointed on a part-time basis and whose services were subsequently regularised, have been extended the benefit of reckoning 50% of their part-time service for pensionary benefits. Various Government Orders evidencing the same have also been placed before this



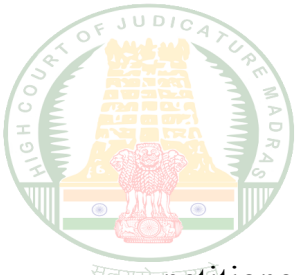
W.P.(MD)No.13761 of 2026

WEB COPY

Court in அரசாணை (நிலை) எண்.3 dated 03.01.2025, அரசாணை (நிலை) எண்.25 dated 10.02.2025, and அரசாணை (2D) எண்.22 dated 13.03.2026.

7. A perusal of the aforesaid Government Orders discloses that the beneficiaries therein were also initially appointed as Pre-Vocational Instructors on a part-time basis, whose services were subsequently regularised, and 50% of the service rendered by them on a part-time basis was reckoned for the purpose of pension and other terminal benefits in terms of Rule 11(4) of the Tamil Nadu Pension Rules, 1978.

8. The fact that the Government has accepted identical claims and issued various Government Orders extending the benefit to similarly situated persons is not in dispute. Once the Government has accepted the claims of identically placed persons and permitted them to reckon 50% of the service rendered by them as part-time Pre-Vocational Instructors for the purpose of pension and other terminal benefits, it is not known why the respondents have rejected the claim of the petitioner by once again placing reliance upon Rule 11(4) of the Tamil Nadu Pension Rules, 1978. Since similarly situated persons have already been extended the very benefit claimed by the



W.P.(MD)No.13761 of 2026

petitioner, this Court does not see any reason to deny the said benefits to the petitioner.

9. As the Government itself has accepted identical claims under identical circumstances and issued various Government Orders referred to above, the impugned proceedings issued by the 1st respondent cannot be sustained.

10. Accordingly, the impugned proceedings passed by the 1st respondent in கடித(1ப) எண்.168/பக3(1)/2025 dated 09.10.2025 are hereby quashed, directing the 1st respondent to reckon 50% of the service rendered by the petitioner as a part-time Pre-Vocational Instructor from 12.02.1990 to 11.11.1997 for the purpose of pension and other terminal benefits in terms of Rule 11(4) of the Tamil Nadu Pension Rules, 1978, and to pass appropriate orders revising the petitioner's pension and other terminal benefits on par with other similarly situated persons, taking into consideration the various Government Orders referred to above, as expeditiously as possible, at any rate within a period of twelve (12) weeks from the date of receipt of a copy of this order.



W.P.(MD)No.13761 of 2026

WEB COPY

11. With the above directions, this Writ Petition is disposed of. No costs. Consequently, the connected Writ Miscellaneous Petition is closed.

29.06.2026

Index:Yes/No
Speaking Order :Yes/No
Neutral Citation:Yes/No
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To

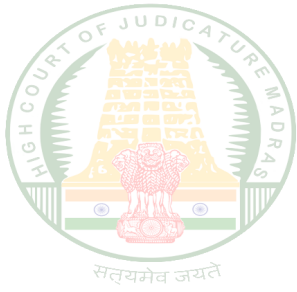
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W.P.(MD)No.13761 of 2026

MUMMINENI SUDHEER KUMAR, J.

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