



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2018

CORAM:

WEB COPY

THE HONOURABLE **MR. JUSTICE G.R.SWAMINATHAN**

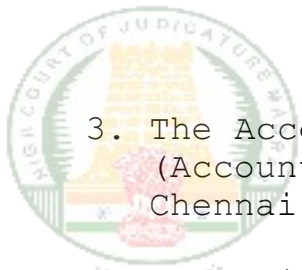
W.P. (MD) No. 5789 of 2014

- 1.M.Rajaraman
- 2.M.Sundar
- 3.O.Arjunan
- 4.R.Chokkar
- 5.S.Thirumavalavan
- 6.P.Namatchivayam
- 7.L.Kalyanasundaram
- 8.D.Balamohan
- 9.N.Nagarajan
- 10.S.Dhanuskodi
- 11.G.Kalavathi
- 12.S.Sadasivan
- 13.P.Padmanaban
- 14.M.Thangamani
- 15.T.Irudayaraj
- 16.N.Indumathi
- 17.N.Muthu Ganesan
- 18.R.Kannan
- 19.R.Pandy
- 20.N.Ganesan
- 21.N.Gopivathsala
- 22.V.N.Thilorthama
- 23.K.Mallika
- 24.M.Regina Mary
- 25.V.Ganesan
- 26.G.Kumar

... Petitioners

Vs.

1. The State of Tamil Nadu
rep. by its Principal Secretary to Government
School Education Department,
St. Fort George,
Secretariat,
Chennai - 9.
2. The Director of School Education,
D.P.I Campus,
Sourashtra Road,
Chennai - 6.



3. The Accountant General,
(Accounts and Entitlements)
Chennai - 18.

4. The Chief Educational Officer,
Madurai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents herein to take into account the 50% of service rendered by the petitioners as Part-time Vocational Instructors drawing consolidated pay for calculating the qualifying service for the purpose pension and the quantum of pension under Rule 43 (2) of the Tamil Nadu Pension Rules and to sanction the pension and benefits accordingly based on the representation dated 22/02/2014 given by the petitioners.

For Petitioner : Mr.AL.Kannan
For Respondents : Mr.S.Srimathy S.G.P.,
(for R1, R2 & R4)
Mr.R.Aravindan for R3

O R D E R

The petitioners are working as 'Vocational Instructors'. They are still in service. They originally joined as Part-time Vocational Instructor on consolidated pay. They were subsequently regularized. But the period of part-time service is to be calculated for pensionary purposes. This Court in a series of orders held that 50% of service rendered as Part-time Vocational instructor must also be taken into account. The Government was directed to revise the pensionary benefits and pay the arrears accordingly. Therefore, the issue raised in this writ petition is no longer *res integra*.

2.The learned counsel appearing for the petitioners placed reliance on the order dated 27.02.2018 passed by this Court in W.P (MD)Nos.3359 to 3367 of 2018, which were allowed placing reliance on the order dated 21.4.2017 passed by the Division Bench of this Court in W.A(MD)No.392 of 2015 etc, batch.

3. Since the issue on hand is squarely covered, this writ petition stands allowed. No costs.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

<https://hcservices.ecourts.gov.in/hcservices/>

Sub Assistant Registrar



To

1. The Principal Secretary to Government
School Education Department,
St. Fort George,
Secretariat,
Chennai - 9.

2. The Director of School Education,
D.P.I Campus,
College Road,
Chennai - 6.

3. The Chief Educational Officer,
Madurai District.

+1cc to Mr.AL.Kannan, Advocate Sr.No.59375

+1cc to The Spl. Government Pleader Sr.No.59252

SKN

VB/RSK/SAR1/11.07.2018/3P/6C

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