



W.P.(MD).No.25037 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 22.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.25037 of 2024

Y.Edward Jenner.

... Petitioner

VS

1.The State of Tamil Nadu,
Representation by its Principal Secretary to Government,
School Education Department,
Secretariat, Chennai – 600 009.

2.The Director of School Education (Vocational),
DPI. Campus,
College Road, Chennai – 6.

3.The Accountant General,
O/o.the accountant General (A&E),
Teynampet, Chennai – 600 018.

4.The Chief Educational Officer,
Nagercoil,
Kanyakumari.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents herein to take 50% of the service rendered by the petitioner as Part-Time Vocational



W.P.(MD).No.25037 of 2024

Instructor drawing consolidated pay between 11.01.1989 to 04.10.1996 along with regular service from 05.10.1996 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 the light of the order in W.P. (MD)NO.9588 of 2023 dated 30.06.2023 passed by this Court within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.P.Saravanakumar

For Respondents : Mr.J.Ashok
Additional Government Pleader for R1,
R2 & R4

ORDER

The instant Writ Petition has been filed by a Double Part-Time Vocational Instructor seeking mandamus to reckon 50% of the services rendered as a Vocational Instructor from 11.01.1989 to 04.10.1996 along with his regular service from 05.10.1996 for the purpose of pension and quantum of pension under Rule 43 (2) of the Tamil Nadu Pension Rules.

2. The petitioner was originally appointed as a Double Part-Time Vocational Instructor in a Government aided school on 11.01.1989 and it was



W.P.(MD).No.25037 of 2024

duly approved by the authorities on 16.03.1989. Further, the petitioner was placed under Grade-II on par with Secondary Grade Teacher upto the period of 07.07.2004.

3. The learned counsel appearing for the petitioner contends that as per G.O.Ms.No.194, dated 12.09.2018, the petitioner is eligible to count 50% of the services of the Part-Time Vocational Instructor before 01.04.2003 for the purpose of calculating pension. The Writ Petitioner has also relied upon the orders of this Court in W.P.(MD)No.9588 of 2023 dated 30.06.2023 in the case of *V.Arulldhas vs. The State of Tamil Nadu and others*, wherein this Court has granted relief to similarly placed person.

4. Considering the abovesaid facts, the fourth respondent herein is directed to consider 50% of the services rendered by the petitioner as a part time vocational instructor from 11.01.1989 to 04.10.1996 for the purpose of calculating pension and forward the pension papers to the concerned authorities within a period of twelve (12) weeks from the date of receipt of a copy of this order.



W.P.(MD).No.25037 of 2024

WEB COPY

costs.

5. This Writ Petition stands disposed of, with above directions. No

22.10.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
apd

To

1.The State of Tamil Nadu,
Representation by its Principal Secretary to Government,
School Education Department,
Secretariat, Chennai – 600 009.

2.The Director of School Education (Vocational),
DPI. Campus,
College Road, Chennai – 6.

3.The Accountant General,
O/o.the accountant General (A&E),
Teynampet, Chennai – 600 018.

4.The Chief Educational Officer,
Nagercoil,
Kanyakumari.



WEB COPY



W.P.(MD).No.25037 of 2024

R.VIJAYAKUMAR,J.

apd

W.P(MD)No.25037 of 2024

22.10.2024