



W.P.No.5226 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2025

Coram

THE HON'BLE MR JUSTICE C.V.KARTHIKEYAN

W.P.No.5226 of 2025

V.Poongodi

... Petitioner

-Versus-

- 1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai – 600 009.
- 2.The Director of School Education,
Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Chennai – 600 006.
- 3.The Chief Educational Officer,
O/o. The Chief Educational Officer,
The Presidency Girls' Hr. Sec. School Campus,
Egmore, Chennai – 600 008. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Mandamus directing the respondents to pass orders making the petitioner eligible for Old Pension Scheme under Tamil Nadu Pension Rules, 1978 in consideration of date of appointment by accepting the contribution from the date of appointment, with all consequential and other attendant



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benefits, in consideration of representation submitted by the petitioner dated 02.09.2024 within a time frame to be fixed by this Court.

For Petitioner : *Mr.G.Sankaran,*
Senior Counsel for
Mr.S.Nedunchezhiyan

For Respondents : *Mrs.S.Mythreye Chandru,*
Additional Government Pleader

ORDER

The writ petition has been filed in the nature of a Mandamus seeking a direction against the respondents to pass orders and include the petitioner as eligible under the Old Pension Scheme under Tamil Nadu Pension Rules, 1978 by taking into consideration the date of appointment. The petitioner had given a representation on 02.09.2024.

2. In the affidavit filed in support of the writ petition, it had been stated that the petitioner had been appointed as P.G.Assistant (Chemistry) in the fourth respondent School/Government Aided School by an appointment order dated 31.05.2003. The petitioner joined the service on 02.06.2003. It had been stated that prior permission was also obtained before the petitioner was appointed. But however, the proposal submitted was not considered by the respondents, since it had been stated that the Government had imposed a ban on appointment on and from 01.06.2003.



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WEB COPY 3. The petitioner claims that she had been appointed in the vacancy which had arisen on 01.06.2001. The petitioner claims that she should be included in the Old Pension Scheme under Tamil Nadu Pension Rules, 1978. In this connection, the petitioner had given a representation.

4. The respondents may examine the representation by examining the service register of the petitioner and thereafter, pass appropriate orders. The said order should be passed within a period of six weeks from the date of receipt of a copy of this order.

5. The Writ Petition stands disposed of. No costs.

03.04.2025

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Index : Yes/No

Speaking order/Non speaking order

Neutral Citation : Yes/No

To

1. The Secretary to Government,
School Education Department,
Secretariat, Fort St. George, Chennai – 600 009.

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2.The Director of School Education,
Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Chennai – 600 006.

3.The Chief Educational Officer,
O/o. The Chief Educational Officer,
The Presidency Girls' Hr. Sec. School Campus,
Egmore, Chennai – 600 008.

C.V.KARTHIKEYAN, J.

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