



W.P.No.7829 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2025

Coram

THE HON'BLE MR JUSTICE C.V.KARTHIKEYAN

W.P.No.7829 of 2025

S.Mahesh Kumar

... Petitioner

-Versus-

- 1.The Government of Tamilnadu
Rep. by its Secretary to Government,
School Education Department,
Fort St. George, Chennai – 600 009.
 - 2.The Director of School Education,
College Road,
Chennai – 600 009.
 - 3.The Joint Director of School Education (Vocational),
College Road,
Chennai – 600 009.
 - 4.The Chief Educational Officer,
Chennai District, Chennai.
 - 5.The District Educational Officer (Secondary),
North Chennai,
Chennai – 600 049.
 - 6.The Branch Officer,
Office of the Accountant General (A & E),
No.361, Anna Salai, Teynampet,
Chennai – 600 018.
- ... Respondents



W.P.No.7829 of 2025

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Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking Writ of Mandamus directing the respondents to count 50% of petitioner's service rendered for a period from 02.07.1990 to 05.11.1996 as Part Time Vocational Instructor, on consolidated pay, along with regular service as Vocational Instructor for a period from 06.11.1996 till the date of retirement i.e., 31.05.2017 as qualifying service for the purpose of pensionary benefits.

For Petitioner : *Mr.R.Saseetharan*

For Respondents : *Mr.S.Mythreye,*
Special Government Pleader

ORDER

The writ petition has been filed in the nature of a mandamus seeking a direction against the respondents to count 50% of the service of the petitioner rendered between 02.07.1990 and 05.11.1996 as Part Time Vocational Instructor, on consolidated pay, along with regular service as Vocational Instructor for a period from 06.11.1996 till the date of retirement i.e., 31.05.2017 as qualifying service for the purpose of pensionary benefits.

2. In the affidavit filed in support of this writ petition, it had been contended that the petitioner was initially appointed as Part Time Vocational Instructor in Computer Science on 02.07.1990 as per the order of the



W.P.No.7829 of 2025

Management dated 28.06.1990 at S.K.P.D. Boys' Higher Secondary School,

Chennai. The petitioner was appointed on consolidated pay. His appointment was approved by the Chief Educational Officer, Chennai by proceedings dated 10.01.1994 with effect from 01.12.1992. It is contended that thereafter, the Government had issued G.O.(Ms).No.712 dated 28.05.1990, G.O.(Ms)No.834 dated 23.09.1994 and G.O.(Ms).No.221 dated 15.07.1999 to regularize the service of the vocational instructors working in Government and Private Aided Schools. The petitioner was absorbed as Full Time Vocational Instructor, Grade II in Computer Science with effect from 06.11.1996. Therefore, the present writ petition has been filed seeking to include 50% of the service rendered by the petitioner from 02.07.1990, the initial date of appointment as Part Time Vocational Instructor till 05.11.1996, the date till which he was functioning as Part Time Vocational Instructor.

3. The issue is no longer res integra and orders have been passed directing the respondents to consider 50% of the services of the petitioner for calculating the period of service for pensionary benefit alone.

4. The respondents may examine the representation given by the



W.P.No.7829 of 2025

petitioner herein and consider the claim of the petitioner to count 50% of the service rendered between 02.07.1990 and 05.11.1996 as Part Time Vocational Instructor together with the service already rendered from 06.11.1996 till 31.07.2017 as qualifying service for the purpose of pensionary benefit. The respondents shall forward such proposal for revision of pensionary benefit to the Accountant General Office within a period of four weeks from the date of receipt of a copy of this order. If any records are to be examined, the respondents may call upon the Management of the School to forward the necessary records.

5. The writ petition stands disposed of. No costs.

06.03.2025

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Index : Yes/No

Speaking order/Non speaking order

Neutral Citation : Yes/No



W.P.No.7829 of 2025

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W.P.No.7829 of 2025

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C.V.KARTHIKEYAN, J.

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W.P.No.7829 of 2025



WEB COPY



W.P.No.7829 of 2025

06.03.2025