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W.A.No.1859 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE MR.JUSTICE **K.SURENDER**

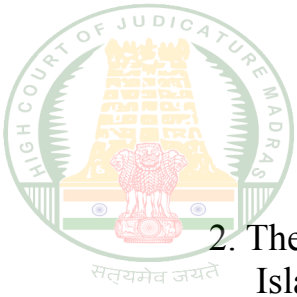
W.A.No. 1859 of 2025
and CMP No.14200 of 2025

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
School Educational Department,
Fort St. George, Chennai -9.
2. The Director of School Education,
DPI Compound, College Road,
Chennai – 6.
3. The Chief Educational Officer,
Vellore, Vellore District.
4. The District Educational Officer (Secondary),
Vellore, Vellore District.

... Appellants

Vs.

1. T. Tulasiraman
B.T. Assistant (Retired),
Islamiah Higher Secondary School,
Pernambur, Vellore District 635 810.



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2. The Correspondent,
Islamiah Higher Secondary School,
Pernambur, Vellore District 635 810.

... Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside
the order passed in WP No.10040 of 2024 dated 10.04.2024.

For Appellant : Mr. R.Neethi Perumal
Government Advocate

For Respondent : Mr.S.N.Ravichandran, for R1

J U D G M E N T

(Judgment of the Court was delivered by R.SUBRAMANIAN, J.)

Aggrieved by the order of the Writ Court dated 10.04.2024 made in
WP No.10040 of 2024, the State is on Appeal. The respondent, who was
qualified to be a Graduate Teacher, was appointed as a Secondary Grade
Teacher on 01.06.1997.



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2. Pursuant to the orders issued by this Court, he was sent for one month Child Psychology Training and he completed the same on 02.06.2003. His services were regularized from the said date and salaries were paid to him. The question as to whether these persons who were appointed before the cut of date for implementation of the Contributory Pension Scheme would come under the regular Pension Scheme or Contributory Pension Scheme came up before this Court earlier and this Court held that though their services were regularized after completion of Child Psychology Training, as far as Pension is concerned, their initial dates of appointment should be taken as the appointed day. The initial date of appointment should be taken as the date for which they would qualify for pensionable services. Therefore, the service rendered between the date of initial appointment and the date of regularisation would be counted as service for the purposes of calculation of pension. This conclusion of this Court made in WA Nos.249 and 282 of 2002 etc. batch was confirmed by the Hon'ble Supreme Court in Civil Appeal No.5012 of 2006 also.



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3. The learned Single Judge has only directed inclusion of the respondent's service between 01.06.1997 and 02.06.2003 for the purposes of calculating his pension.

4. The learned Government Pleader expresses an apprehension that direction-I issued by the learned Single Judge declaring the communication dated 07.03.2024 illegal.,

5. Mr.S.N.Ravichandran, learned counsel appearing for the caveator would contend that the prayer itself was to count the service between 01.06.1997 to 02.06.2003 for the purposes of pensionary and terminal benefits. Therefore, there is no cause for the apprehension expressed by the learned Government Pleader.



6. The Writ Appeal stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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(R.SUBRAMANIAN, J.) (K.SURENDER, J.)
24.06.2025

jv

Internet : Yes
Index : Yes/No
Speaking order/Non Speaking order
Neutral Citation : Yes/No

To

1. The Secretary to Government,
Government of Tamil Nadu,
School Educational Department,
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R.SUBRAMANIAN, J.
and
K.SURENDER, J.

jv

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