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W.P No.25127 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM

THE HONOURABLE MR. JUSTICE C. KUMARAPPAN

Writ Petition No.25127 of 2025

K.Rajendran

... Petitioner

..Vs..

1.The Government of Tamil Nadu,
Represented by Secretary to Government
School Education Department,
Fort St.George, Chennai – 600 009.

2.The Director of School Education,
College Road,
Chennai – 600 006.

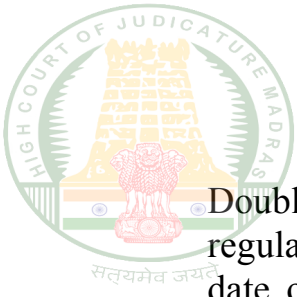
3.The Joint Director of School Education (Vocational),
College Road,
Chennai – 600 006.

4.The Chief Educational Officer,
Nagapattinam District,
Nagapattinam.

5.The District Educational Officer (Secondary),
Nagapattinam District,
Nagapattinam.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus to direct the respondent to count 50% of petitioner's service rendered for a period from 01.12.1987 to 15.10.1992 as



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Double Part Time Vocational Instructor, on consolidated pay, along with regular service as Vocational Instructor for a period from 16.10.1992 till the date of retirement i.e., 30.06.2019 as qualifying service for the purpose of pensionary benefits and to grant arrears of pension and pensionary benefits.

For Petitioner : Mr.R.Saseerharan

For Respondent : Mr.S.Prabhakaran,
Government Advocate

ORDER

The instant writ petition has been filed with a prayer for Mandamus to to count 50% of the service rendered by the petitioner as Double Part Time Vocational Instructor on consolidated pay along with regular service as Vocational Instructor for a period from 16.10.1992 till the date of retirement i.e., 30.06.2019 as qualifying service for the purpose of pensionary benefits.

2.The learned counsel appearing on behalf of the petitioner would submit that the petitioner was retired as a Double Part Time Vocational Instructor on consolidated pay in the Management of National Higher Secondary school, Nagapattinam. It is the further submission of the learned counsel for the petitioner that, the above Institution is a Government Aided Institution and therefore, 50% of the petitioner's service between the period



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01.12.1987 to 15.10.1992 has to be taken into consideration, for the purpose of calculating pension. It is also the further submission that, the issue is no longer *res integra*, in view of the Division Bench Judgment of this Court in Batch of ***Writ Appeals No.2133 of 2019, dated 03.03.2023*** and the same was also relied upon by the learned Single Judge of this Court in ***W.P.No.7829 of 2025, dated 06.03.2025.***

3. The learned Government Advocate appearing on behalf of the respondents has not seriously disputed the factum raised by the learned counsel for the petitioner.

4. I have given my anxious consideration to the either side submissions and also perused the materials available on record.

5. In such view of the provisions, without going to the merits of the writ petition, this Court deems it appropriate to direct the respondents to consider the petitioner's representation dated 06.08.2023 and pass orders according to its own merits and in accordance with law, by taking into consideration of 50% of his past service between the period 01.12.1987 to 15.10.1992, for the



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purpose of calculating pensionary benefits and the respondents are also directed to forward such proposal to the Office of the Accountant General, for revision of pensionary benefits, within a period of four (4) weeks from the date of receipt of a copy of this order. If any records have to be examined, with the consent of the Management of School, the respondents may call upon them to forward necessary records of the petitioner for calculating pensionary benefits.

6. With the above observations, the writ petition stands disposed of. No costs.

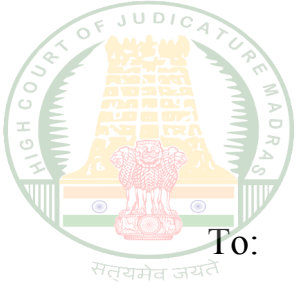
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Index : Yes

Speaking Order : Yes /No

Neutral Citation Case: Yes/No



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C. KUMARAPPAN, J.

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