



W.P.No.31146 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2025

CORAM

THE HONOURABLE MS. JUSTICE P.T. ASHA

W.P.No.31146 of 2025

V.Jansi

...Petitioner

Vs.

1. The Government of Tamil Nadu
Represented by the Secretary to the 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 Education)
College Road, Chennai - 600 006.

4. The District Educational Officer
Vellore District, Vellore.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to count 50% of service rendered by B.Vajjiravelu, as single part time vocational Instructor at Islamiah Boys Higher Secondary School, Pernampet, Vellore District for a period from 03.10.1979 to 31.03.1990 along with regular service as vocational Instructor, from 01.04.1990 when he was regularised, to 28.02.2010 when he retired from



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service for the purpose of pensionary benefits as well as family pension and to grant arrears of pension and pensionary benefits along with arrears of family pension by sending necessary revised proposal to the Accountant General, Teynampet, Chennai - 600 018.

For Petitioner : Mr.R.Saseetharan
For R1 to R4 : Mr.S.Prabhakaran,
Government Advocate

ORDER

The writ petition is filed for the relief herein below set out:

" directing the respondents to count 50% of service rendered by B.Vajjiravelu, as single part time vocational Instructor at Islamiah Boys Higher Secondary School, Pernampet, Vellore District for a period from 03.10.1979 to 31.03.1990 along with regular service as vocational Instructor, from 01.04.1990 when he was regularised, to 28.02.2010 when he retired from service for the purpose of pensionary benefits as well as family pension and to grant arrears of pension and pensionary benefits along with arrears of family pension by sending necessary revised proposal to the Accountant General, Teynampet, Chennai - 600018."

2. The brief facts which has culminated in the filing of this writ petition



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are set out below:

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2.1. The petitioner is the wife of Late B.Vajjiravelu, who was working as Vocational Instructor at Islamiah Boys Higher Secondary School, Pernampet, Vellore District and retired on 28.02.2010 and then died on 26.12.2017. The deceased employee B.Vajjiravelu, was initially appointed as Single Part Time Vocational Instructor on 03.10.1979 on consolidated pay. The said school is an aided School, receiving teaching grants from the Government of Tamil Nadu. The teachers working in aided schools are entitled for same scale of pay as that of teachers working in Government schools and the service in the aided school is a pensionable service. He was regularised from 01.04.1990 in the Post of Vocational Instructor. His service rendered from 01.04.1990 (i.e., the date of regularisation) to 28.02.2010 alone has been counted as qualifying service, whereas his service from 03.10.1979 to 31.03.1990 as Single Part time vocational Instructor has not been counted as qualifying service along with regular service for the purpose of pensionary benefits.

3. The learned counsel for the petitioner relied upon the decision of the Hon'ble Division Bench in W.A.No.882 of 2017 dated 06.04.2018 wherein it is



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held that 50% of service rendered as Single or Double Part Time Vocational Instructor before regularisation along with regular service has to be counted for pensionary benefits but fixed a cut off date as 06.04.2018 by holding that those who filed the case on or before 06.04.2018 alone are entitled for benefit of the above said judgment. Pursuant to the said Order, the Government of Tamil Nadu had issued G.O.Ms.No.194 dated 12.09.2018 and granted benefit of the judgment of the Hon'ble Division Bench in the above W.A only to those who filed cases before the Court on or before 06.04.2018.

4. Another Hon'ble Division Bench by order dated 25.08.2020 in W.A(MD) No.653/2020 has held that such a date cannot be fixed for granting relief and that the persons who are similarly placed should be given the same benefits and issued a direction to the Government of Tamil Nadu to count 50% of service rendered in the post of Single and Double Part Time Vocational Instructors, as qualifying service for the purpose of retirement benefits and this decision has been recently approved by the Hon'ble Division Bench in W.A.(MD) No.653 of 2020 dated 25.08.2020.

5. The petitioner had made a representation dated 25.04.2025 to the respondents to count 50% of service rendered by the deceased B.Vajjiravelu on



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consolidated pay, along with the regular service for the purpose of pensionary benefits, in view of the decision of this Court in WA (MD).No.635 of 2020 dated 25.05.2020 and W.A.No.2133 of 2020 dated 03.03.2023 and the G.O.Ms.No.127 dated 12.07.2023. But the same has not been considered by the Respondents to date. Therefore, the petitioner is before this Court.

6. Heard the learned Counsels on either side and perused the records.

7. In the light of the decisions passed by the Hon'ble Division Bench, it is evidently clear that the petitioner is entitled to count 50% of the service rendered as Single Part time Vocational Instructor before regularization along with regular service for pensionary benefits. A mandamus is therefore issued to the Respondents to count 50% service rendered by the deceased B.Vajjiravelu as Single Part Time Vocational Instructor at Islamiah Boys Higher Secondary School, Pernampet, Vellore District for a period from 03.10.1979 to 31.03.1990 along with regular service as Vocational Instructor from 01.04.1990 when he was regularized to 28.02.2010 when he retired from service for the purpose of pensionary benefits as well as family pension and to grant arrears of pension and pensionary benefits within a period of one month from the date of receipt of a copy of this order. No costs.



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Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation Case : Yes/No

To

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P.T.ASHA J.

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