



WEB COPY



W.P.No.34761 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.34761 of 2024
and W.M.P.No.37693 of 2024

1. A.Stalin
2. R.Krishnamurthy
3. S.Venu
4. A.Vanatou Sinnapane
5. S.Dhas
6. A.Sowriraj
7. D.N.Hirudayaraj
8. D.Chinnappan
9. A.Rajaraman
10. L.Benjamin Francisco

...Petitioners

-Vs-

1. The Director of School Education,
Directorate of School Education,
A Block, I Floor,
Perunthalaivar Kamaraj Centenary
Educational Complex,
100 Feet Road, Anna Nagar,
Puducherry – 605 005.

2. The Headmaster-cum-Correspondent,
Fatima Government Aided Boys' High School,
Karuvadikuppam, Puducherry.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to pay the entire pension payable to the petitioners and to collect 5% from the second



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respondent by means available in law and directing the first respondent to initiate action against the second respondent for committing breach of conditions of approval.

For Petitioners : Mr.D.Baskar

For Respondents : Mr.A.Tamilvanan
Additional Government Pleader (Pondy)

ORDER

This writ petition has been filed for direction directing the first respondent to pay the entire pension payable to the petitioners and to collect 5% from the second respondent by means available in law and directing the first respondent to initiate action against the second respondent for committing breach of conditions of approval.

2. It is seen that all the petitioners were retired as Teacher from the second respondent school i.e., Fatima Government Aided Boys' High School, Karuvadikuppam, Puducherry. The said school is a Government aided school. According to Rule 32 of Pondicherry School Education Rules, 1996, the Government may pay grant-in-aid from the consolidated fund subject to the Government Order and instruction issued from time to time. Accordingly, 95% would be borne out by the first respondent and 5% should be collected



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from the respective managements to draw and disburse the pensionary benefits. The case of the petitioners is that the second respondent failed to deposit 5% of the management's contribution and as such, the petitioners did not settled their 5% of pensionary benefits. Hence, the petitioner filed the present writ petition with the above prayer.

3. Heard, the learned counsel appearing appearing on either side and perused the materials placed before this Court.

4. On perusal of the records, it is revealed that, in a similar circumstances, some of the other schools also failed to pay pension to its teachers. Therefore, the Government of Puducherry had passed an order dated 29.10.2014, thereby stopping grant. Aggrieved by the same, the school managements filed a batch of writ petitions in WP.Nos.1035 to 1040 of 2015 and this Court by an order dated 30.11.2021, dismissed the writ petitions by observing that the school managements are bound to settle their contribution payable to the retired employees under the provisions of the Act and Rules. Even then, the second respondent failed to contribute their 5% of pensionary benefits to all the retired teachers.



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5. In view of the above discussions, the first respondent is directed to take appropriate steps to collect the managements' shares of 5% payable to the retired teachers such as petitioners herein, within a period of four weeks from the date of receipt of copy of this order. It is made clear that since the Writ Petitions filed by the School management were already dismissed, the first respondent shall take stringent action as against the second respondent management for remittance of their shares of 5% of pension benefits.

6. With the above directions, the Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

13.11.2025
(½)

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

rts



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G.K.ILANTHIRAIYAN. J.

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