



WA(MD). No.2672 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.01.2025

CORAM

THE HONOURABLE MR.JUSTICE M.S. RAMESH
AND
THE HONOURABLE Dr.JUSTICE A.D.MARIA CLETE

**WA(MD). No.2729 of 2024 and
CMP(MD) No.18866 of 2024**

1.The Government of Tamil Nadu
Represented by its Secretary to Government
Finance (Pension) Department
Fort St. George, Chennai.

2.The Secretary to Government
Education Department
Fort St. George, Chennai

3.The Joint Director,
School Education Department
DPI Campus, Chennai 6.

4.The Chief Educational Officer,
Hakim Ajmal Khan Road,
Chinnachokkikulam
Madurai.

... Appellants

Vs

1.K.Vimala Devi

2.The Accountant General (A&E)
Tamil Nadu General Provident Fund,
Chennai.

... Respondents

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PRAYER :- Writ Appeal filed under Clause 15 of the Letters Patent against the order of this Court dated 11.10.2023 in WP(MD) No. 22337/2023.

For Appellants : Mr.J.Ashok
Additional Government Pleader

For Respondent : Mr.M.O.Thevankumar for R1

JUDGMENT

(Judgment of the Court was delivered by M.S.RAMESH, J.)

The writ appeal is directed against the order of the writ Court dated 11.10.2023 in WP(MD) No.22337/2023.

2. The issue as to whether the appointment of a Government employee, after the crucial date on 01.04.2003, stipulated in G.O.Ms.No. 259 dated 06.08.2003, would be entitled to seek for the benefits of the old pension scheme or not is no more res integra in view of the decision of the Hon'ble Supreme Court in the case of ***P.Ranjitharaj v. The State of Tamil Nadu and Others*** dated 25.04.2022, wherein it was held that the belated appointment of an employee after the crucial date, which fault



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should not be put against him and that the concerned employee would be entitled for the benefit of old pension scheme. The learned Single Judge has also placed reliance on the case of *Ranjitharaj (supra)* and had come to the conclusion that the respondent herein would be entitled to the benefits of the old pension scheme.

3. In view of the proposition of law on this aspect, we do not find any illegality in the order passed by the writ Court. Accordingly, the writ appeal stands dismissed. No costs. Consequently connected Miscellaneous Petition is closed.

[M.S.R.,J]

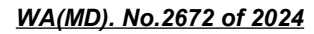
[A.D.M.C.,J]

08.01.2025

NCC : Yes/No

Index : Yes/No

RR



4.The Chief Educational Officer,
Hakim Ajmal Khan Road,
Chinnachokkikulam
Madurai.



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M.S. RAMESH, J.
AND
A.D.MARIA CLETE, J.

RR

ORDER
IN
WA(MD) No.2729 of 2024

Date : 08.01.2025