



WP(MD). No.15413 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 04.12.2025

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

WP(MD)No.15413 of 2023
and
WMP(MD)No.23423 of 2023

M.Malliga

... Petitioner

Vs

1. The Principal Secretary to Government,
Finance Department,
Fort St. George,
Chennai-9.
2. The Principal Secretary to the Government,
School Education Department,
Fort St. George,
Chennai- 9.
3. The Director/Commissioner of School Education,
Directorate of School Education,
DPI Complex College Road,
Chennai.
4. The District Educational Officer,
Pudukottai,
Pudukottai District.



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5. The Block Educational Officer,
Karambakkudi,
Pudukkottai District.

6. The Accountant General,
Office of the Accountant General (A&E),
361, Anna Salai,
Teynampet,
Chennai-600 018.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to consider the representation dated 06.09.2022 given by the writ petitioner and to fix the selection Grade and Special Grade pay to the husband of writ petitioner in the post of Elementary School Head Master by taking the service of Writ petitioners husband rendered as Secondary Grade Teacher prior to 01.06.1988 in the light of order dated 18.01.2018 passed in W.P.Nos.12092 of 2013 and batch and to pay arrears by revising the family pension, within the time limit fixed by this Court.

For Petitioner	: Mr.A.L.Kannan,
For R1 to R5	: Mr.M.Sarangan, Additional Government Pleader
For R6	: Mrs.Chamundi Bose



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ORDER

The petitioner's husband, who served as an Elementary School Headmaster, retired on attaining the age of superannuation on 31.03.2009 and died on 17.05.2020. The petitioner has submitted a representation dated 06.09.2022, seeking to pay the revised family pension benefits, as per G.O.Ms.No.179, School Education Department, dated 06.09.2013.

2. The learned Additional Government Pleader appearing for the respondents 1 to 5 submits that this issue has been referred to the Hon'ble Full Bench of this Court and the Hon'ble Full Bench of this Court, in the case of ***The Government of Tamil Nadu, represented by the Secretary, School Education Department vs. G.Eswaran and others***, reported in ***2017 (1) CWC 561***, has held as under:

(i) The Government is directed to implement the G.O.Ms.No.216, dated 22.03.1993 for the period between 01.06.1988 and 31.12.1995, on and from 01.03.2017 onwards in respect of all the Secondary Grade Teachers of High/Higher Secondary Schools including the Special Teachers who attained Selection grade/Special grade during the above said period, on par with the pay scale of Primary School Headmasters;



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(ii) Consequently, the Government shall calculate and revise the pension of those who retired from service and revise the family pension in respect of those who expired, based on the revised scales of pay in terms of G.O.Ms.No.216, dated 22.03.1993 payable on and from 01.03.2017;

(iii) It is made clear that the beneficiaries under this order, are not entitled to the arrears of revised pay scales;

(iv) It is further made clear that the benefits as directed above, shall be extended to the parties who are before this Court alone and no fresh Writ Petitions would be entertained on and from 09.12.2016;

(v) The Government is directed to expedite the process of calculating and fixing the revised pension and family pension and we do hope that the Government will complete the same as early as possible without making any further delay;

(vi) All the matters which are at SR stage and listed before this Court are also ordered and disposed of by this common order and consequently, connected MPs thereof, are ordered.”

3. In view of the orders of the Hon'ble Full Bench (as cited above), this Court is not inclined to grant any relief to the petitioner as prayed for in this writ petition.



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4. Accordingly, this writ petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

04.12.2025

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Index : Yes / No.

Internet: Yes / No.

NCC : Yes / No.

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Date : 04/12/2025