



W.A.(MD).No.1268 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 17.02.2025

CORAM

**THE HONOURABLE Mrs.JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mrs.JUSTICE S.SRIMATHY**

W.A.(MD).No.1268 of 2024
and
C.M.P.(MD).No.9784 of 2024

1.The State of Tamilnadu
Rep. by its Secretary to Government
School Education Department
Secretariat
Chennai

2.The Director of School Education
O/o.The Director of School Education
DPI Campus, College Road,
Chennai 6

3.The Chief Educational Officer,
O/o.The Chief Educational Officer,
Dindigul
Dindigul District

4.The District Educational Officer,
O/o.The District Educational Officer,
Vedachandur
Dindigul District

... Appellants/Respondents

Vs.

1.M.Thirumugam Thiresa

Respondent/Writ Petitioner



W.A.(MD).No.1268 of 2024

2. The Secretary
Loyala Higher Secondary School
Hanumantharayankottai
Dindigul
Dindigul District

Respondent/Writ Petitioner

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, against the order dated 05.07.2022 passed in W.P.(MD).No.25137 of 2019.

For Appellants : Mr.J.Ashok

Additional Government Pleader

For Respondents : Mr.Rajasekar for R1

Mr.T.Aswin Rajasimman for R2

JUDGMENT

**J.NISHA BANU, J.
AND
S.SRIMATHY, J.**

The present Writ Appeal has been filed challenging the order of the writ court dated 05.07.2022 in W.P.(MD).No.25137 of 2019.

2. The only ground that has been raised by the appellants is that the learned Single Judge had held that the writ petitioner is entitled to old pension scheme from the date of appointment as Secondary Grade Assistant, ie., with effect from 01.06.1997. However, it is their apprehension that there is no



W.A.(MD).No.1268 of 2024

clarity with regard to the salary for the said period and that their case is that the writ petitioner is not entitled for any salary for the said period.

3. We have heard the learned Additional Government Pleader for the appellants and perused the materials available on record.

4. In the order passed by the learned Single Judge, it is held that the petitioner is entitled only for old pension scheme from the date of her initial appointment, ie., on 01.06.1997, which is only for pensionary benefits and not the salary for the said period. Hence, it is made clear that the writ petitioner is not entitled for any salary for the said period and she is entitled only for pensionary benefits as per the old pension scheme. Accordingly, the appellants are directed to disburse the pensionary benefits within a period of twelve weeks from the date of receipt of a copy of the judgment.

5. With the aforesaid clarification, the writ appeal stands disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

(J.N.B.,J.) (S.S.Y.,J.)
14.02.2025

NCC : Yes/No
Index : Yes/No
RR



W.A.(MD).No.1268 of 2024

WEB COPY

To
1.The Secretary to Government
School Education Department
Secretariat
Chennai

2.The Director of School Education
O/o.The Director of School Education
DPI Campus, College Road,
Chennai 6

3.The Chief Educational Officer,
O/o.The Chief Educational Officer,
Dindigul
Dindigul District

4.The District Educational Officer,
O/o.The District Educational Officer,
Vedachandur
Dindigul District



WEB COPY



W.A.(MD).No.1268 of 2024

J.NISHA BANU,J.
and
S.SRIMATHY,J.

RR

W.A.(MD).No.1268 of 2024

17.02.2025