



W.P.(MD).No.17407 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 03.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.17407 of 2018

V.Louis Sam Manohar

....Petitioner

Vs

1.The District Educational Officer
Cheranmahadevi, situated at Tirunelveli
Tirunelveli District.

2.The Correspondent
S.A.Noble Memorial High School
Vallioor, Tirunelveli District

....Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order of the 1st respondent in O.Mu.No.5148/A1/E1/2016 dated 08.06.2017 and quash the same and consequently direct the 1st respondent herein to count the service rendered by the petitioner from 25.11.1991 to 31.05.1997 for fixation of pay, gratuity, leave pay, pensionary benefits and other benefits to the petitioner as per G.O.(1D).No.125 dated 13.04.2010.



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For Petitioner : Mr.T.Pon Ramkumar

For Respondents : Mr.T.Amjadkhan
Government Advocate for R1

ORDER

The present writ petition has been filed by a retired B.T.Assistant Teacher challenging the order dated 08.06.2017 wherein his past services in the self-finance post was not considered for the purpose of reckoning pensionary benefits.

2.The petitioner herein was initially appointed as B.T.Assistant in the second respondent School as self-financing teacher. The School was granted grant-in-aid only with effect from 01.06.1997. The petitioner's service were absorbed as a grant-in-aid teacher with effect from 01.06.1997. The petitioner had attained superannuation on 31.05.2015. Thereafter, the petitioner has given a representation on 07.11.2016 seeking to consider the period between 25.11.1991 to 31.05.1997 for the purpose of reckoning pension. This request has been rejected under the impugned order dated 08.06.2017 which is put to challenge in the present writ petition.

3.According to the learned counsel for the writ petitioner, the petitioner though was working in a sanctioned post, his services were not treated as aided post and only with effect from 01.06.1997 his post was treated as aided post. Therefore, the said period should be reckoned for the purpose of



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pensionary benefits.

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4.Per contra, the learned Government Advocate appearing for the first respondent submitted that the School started receiving grant-in-aid from the Government only with effect from 01.06.1997. Till such date, the School was fully self-financing School. Therefore, the question of petitioner being appointed in a sanctioned post, does not arise.

5.Heard both sides.

6.The services of the petitioner between 25.11.1991 and 31.05.1997 are purely on self-finance basis. The School was not receiving any aid during the relevant point of time for any one of the posts. In such circumstances, the petitioner's services can never be considered that of an aided post for the said period. There are no merits in the writ petition. The writ petition stands dismissed. No costs.

03.11.2025

Internet : Yes/No

Index : Yes/No

NCC : Yes/No

msa

To

The District Educational Officer
Cheranmahadevi, situated at Tirunelveli
Tirunelveli District.



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R.VIJAYAKUMAR, J.

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