



W.P(MD)No.22401 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.22401 of 2025

S.Petchiammal

... Petitioner

vs.

1. The Joint Director,
Department of School Education, DPI Campus,
College Road, Chennai - 600 006.
2. The Chief Education Officer,
O/o.Chief Education Officer,
Thoothukudi District.
3. The District Education Officer,
O/o.District Education Officer,
Kovilpatti, Thoothukudi District.
4. The Head Master,
MBCM Government Girls Higher Secondary School,
Ettayapuram,
Thoothukudi District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent

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Nos.1 to 3 herein to switch over the petitioner's name to the Old Pension Scheme from CPS for the post of BT-Assistant (BRTE) with effect from 26.03.2003 as per petitioner's initial appointment dated 26.03.2003 issued by Respondent No.1 in Na.Ka.No.68578/C5/C20/02 by considering the petitioner's representation dated 29.07.2025 within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of Mandamus, directing the first respondent respondent Nos.1 to 3 herein to switch over the petitioner's name to the Old Pension Scheme from CPS for the post of BT-Assistant (BRTE) with effect from 26.03.2003 as per petitioner's initial appointment dated 26.03.2003 issued by first respondent in Na.Ka.No.68578/C5/C20/02 by considering the petitioner's



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representation dated 29.07.2025 within a specified time frame.

2. Heard Mr.I.Pinaygash, learned counsel for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader appearing on behalf of the respondents.

3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

4. The grievance of the petitioner is that, though the petitioner was appointed as Block Resource Teacher Educators(BRTE) through Teachers Recruitment Board(TRB) on 26.03.2003, he could not join on the said date because of non-availability of vacancy and thereafter he joined on 04.04.2003 pursuant to the fresh appointment order wherein the original appointment order was referred by the first respondent. The cut of date for old pension scheme is 01.04.2003. In case, on the first appointment date the petitioner was joined in service he could get the old pension scheme. In this regard, the petitioner submitted a representation dated 29.07.2025



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seeking to include his name in the old pension scheme by considering his original appointment dated 26.03.2003. However, since no action was taken on the said representation, the petitioner has now approached this Court by filing the present Writ Petition.

5. Learned counsel for the petitioner would further submit that the petitioner would be satisfied if a direction is issued to the first respondent to consider the representation of the petitioner dated 29.07.2025 and pass appropriate orders thereon, within a time frame to be fixed by this Court.

6. Considering the above facts and circumstances, without going into the merits of the case, this Writ Petition is disposed of with a direction to the first respondent, to consider the representation of the petitioner dated 29.07.2025 and pass appropriate orders in accordance with law, after affording an opportunity of hearing to all the parties concerned. Such exercise shall be completed as expeditiously as possible, preferably within a period of six (6) weeks from the date of receipt of a copy of this



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order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits. No costs.

18.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
P JL

To

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College Road, Chennai - 600 006.
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O/o.Chief Education Officer,
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M.DHANDAPANI,J.

PJL

**ORDER MADE IN
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