



W.P.(MD) No.22390 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.22390 of 2021

and

W.M.P.(MD) No.18942 of 2021

P.Nagarajan

... Petitioner

-vs-

- 1.The Principal Secretary to
the Government
Department of School Education
Fort St.George, Chennai-9
- 2.The Director of School Education
O/o.the Director of School Education
DPI Campus, College Road
Chennai-6
- 3.The Joint Director of School
Education (Vocational)
O/o.the Joint Director of School
Education (Vocational)
DPI Campus, College Road
Chennai-6
- 4.The Chief Educational Officer
Collectorate Buildings
Karur, Karur District



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5.The District Educational Officer
Collectorate Buildings
Karur, Karur District

6.The Principal Accountant General
(G&SSA)
“LEKHA PARIKSHA BHAVAN”
No.361, Anna Salai
Teynampet, Chennai-600 018

7.The Senior Accounts Officer /
Legal Cell
Office of the Accountant General
(Accounts & Entitlements)
Tamil Nadu
361, Anna Salai, Teynampet
Chennai-600 018

8.The Headmaster
Government Boys Higher
Secondary School
Pugalur, Karur District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records pertaining to the impugned order in AG(A&E)/Legal Cell/WP(MD) 17235/2018/19-20/2311-85090 dated 14.02.2020 on the file of the respondent No.7 and consequently for a direction directing the respondents to re-fix the petitioner's pension by including the 50% of the service rendered by the petitioner as Part Time Vocational Instructor in consolidated pay along



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with regular service i.e. from 09.10.1986 to 15.10.1992 with all other consequential benefits in the light of the Judgment of this Court in W.P.(MD) No.795 to 797 of 2018 dated 12.02.2018 within the time period stipulated by this Court.

For Petitioner : Mr.S.Rajasekar
for M/s.T.Lajapathi Roy & Associates

For Respondents : Mr.S.Shaji Bino
Special Government Pleader for R1 to R5 & R8
Ms.S.Mahalakshmi
Standing Counsel for R6 & R7

ORDER

This writ petition has been filed challenging the impugned order dated 14.02.2020, passed by the seventh respondent, rejecting the petitioner's request to refix his pension by including 50% of the service rendered by him as a Part Time Vocational Instructor in consolidated pay along with the regular service i.e. from 09.10.1986 to 15.10.1992.

2. Earlier, G.O.(Ms) No.194, School Education (Pa.Ka.7-1) Department, dated 12.09.2018, dis-entitled the petitioner for including the 50% of the service rendered by him as a Part Time Vocational Instructor in



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consolidated pay along with the regular service, as in the said Government Order, the cut off date was fixed as 06.04.2018. However, the condition fixing the cut off date as 06.04.2018 was quashed by this Court through various orders. Therefore, the impugned order rejecting the petitioner's request for re-fixation of his pension by including 50% of the service rendered by him as a Part Time Vocational Instructor in consolidated pay along with the regular service i.e. from 09.10.1986 to 15.10.1992, by applying G.O.(Ms) No.194, dated 12.09.2018, has to be set aside by this Court.

3. Counter has also been filed by the fourth respondent. Only on the ground of laches, the fourth respondent has stated that, the petitioner is not entitled for the relief sought for in this writ petition. However, as seen from the proceedings, which have been placed on record before this Court, the condition fixing the cut off date as 06.04.2018 was quashed by the orders passed by this Court only in the year 2018. The petitioner, within a reasonable period, has made a request to the respondents to re-fix his pension by including 50% of the service rendered by him as a Part Time Vocational Instructor in consolidated pay along with the regular service i.e. from 09.10.1986 to 15.10.1992. The same has been rejected under the impugned



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order dated 14.02.2020, passed by the seventh respondent and immediately thereafter, the petitioner has filed this writ petition. Therefore, the ground of laches pleaded by the fourth respondent in his counter to reject the petitioner's request for re-fixation of his pension does not arise.

4. For the foregoing reasons, since the impugned order has been passed based on the condition imposed in a Government Order, which has been quashed by the orders passed by this Court and since there is no delay on the part of the petitioner to approach this Court, necessarily, the impugned order dated 14.02.2020, passed by the seventh respondent, has to be quashed and this writ petition has to be allowed.

5. Accordingly, this writ petition is allowed and the impugned order dated 14.02.2020, passed by the seventh respondent, is hereby quashed. The first respondent is directed to re-fix the petitioner's pension by including 50% of the service rendered by him as a Part Time Vocational Instructor in consolidated pay along with the regular service i.e. from 09.10.1986 to 15.10.1992. The first respondent is directed to complete the said exercise within a period of eight weeks from the date of receipt of a copy



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of this order. Once the re-fixation of the petitioner's pension has been done by the first respondent, a proposal has to be sent by the eighth respondent to the fourth respondent in terms of the order passed by the first respondent in the light of the directions issued by this Court, within a period of four weeks thereafter. On the proposal being sent by the eighth respondent to the fourth respondent, the fourth respondent shall pass final orders in accordance with the directions issued by this Court by re-fixing the petitioner's pension by including 50% of the service rendered by him as a Part Time Vocational Instructor in consolidated pay along with the regular service i.e. from 09.10.1986 to 15.10.1992, within a period of four weeks thereafter. Based on the final orders passed by the fourth respondent, the sixth respondent has to re-fix the pension payable to the petitioner, within a period of four weeks thereafter. No costs. Consequently, connected miscellaneous petition is closed.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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ABDUL QUDDHOSE, J.

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