



W.P.(MD).No.33160 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.11.2025

CORAM :

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

W.P.(MD).No.33160 of 2025

and

W.M.P.(MD).No.26189 of 2025

S.Lakshmana Perumal

...Petitioner

-Vs-

1. The Accountant General
Office of accountant General
361, Anna Salai
Chennai.

2. The Chief Educational officer
Tenkasi District.

3. The District Educational Officer (Secondary)
Tenkasi, Tenkasi District.

4. The Secretary
Sengunthar High School
Subbulapuram
Sankarankovil
Tenkasi District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of CERTIORARIFIED MANDAMUS calling for the records relating to the impugned order of the 1st respondent



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in No.P09/10929168/3/R0929168/ 1469 dated 28.06.2024 in so far as calculating the pension for 21 years 0 months 29 days of service as illegal and quash the same and consequently direct the respondent to revise the pension pay by taking the qualifying service as 26 years 10 months 12 days instead of 21 years 0 months 29 days and refix petitioner pension by commuting net qualifying service and disburse arrears and all other monitory benefits within stipulated period as fixed by this Honble court and pass such other or further orders as this Honble Court may deem fit and proper in the circumstances of this case and thus render justice.

For petitioner : Mr.S.Chella Pandian

For Respondent No.1 : M/s.S.Mahalakshmi
Standing Counsel

For Respondent Nos.2 & 3 : Mr.N.Satheesh Kumar
Addl. Govt. Pleader

ORDER

This writ petition is filed challenging the impugned order of the 1st respondent in No.P09/10929168/3/R0929168/ 1469 dated 28.06.2024 in so far as calculating the pension for 21 years 0 months 29 days of service as illegal and quash the same and consequently direct the respondent to revise the pension pay by taking the qualifying service as 26 years 10 months 12 days instead of 21 years 0 months 29 days and refix petitioner pension by commuting net qualifying service and disburse arrears and all other monitory benefits.



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2. In this writ petition, it is the claim of the petitioner that, under the impugned order, the first respondent had returned the proposal of the third respondent to count the service of the petitioner rendered prior to the child psychology training from the date of his initial appointment for the purpose of calculating the benefits of selection grade and special grade.

3. The aforesaid issue is no longer *res integra*. The Division Bench of this Court in ***W.A(MD)No.249 of 2022 dated 02.04.2024 (The State of Tamil Nadu, Rep by its Secretary, Education Department Vs. Pallivasal Primary School, Rep by its Correspondent, Mudukulathur)*** has settled the said issue. Following the aforesaid judgment, the learned Single Judge of this Court in W.P(MD)No.4968 of 2024 had held that the first respondent therein was not right in excluding the period from the date of appointment till the certificate for child psychology training was issued for the purpose of calculating pension and set aside the same by issuing a further direction to calculate the period from the date of the appointment till the completion of the said training for calculating the pension and disburse the benefits by fixing the time frame.



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4. This Court is of the view that the aforesaid judgment would squarely apply to the present facts of the case.

5. In such view of the matter, the impugned order dated 28.06.2024 is set aside and the respondents are directed to count the service of the petitioner from the date of his appointment till the date of issuance of course certificate as pensionable service and refix the pension accordingly and disburse the arrears and all other monetary benefits within a period of 12 weeks from the date of receipt of a copy of this order.

6. The writ petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes/No
Speaking/Non-Speaking order
Neutral Citation : Yes/No
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