



WEB COPY



W.P.NO.2937 OF 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2026

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR**

W.P.NO.2937 OF 2025

R.N.Arul Jothi
Assistant Registrar (Retired)
2/3, Shri Krishna, Floor 1,
Kamatchi Colony, 1st Street,
Tambaram Sanatorium,
Chennai – 600 047.

... Petitioner

Vs.

1.The Additional Chief Secretary to Government
Home Department (Courts)
Secretariat,
Chennai – 600 009.

2.The Registrar General
High Court
Chennai – 600 104.

3.The Accountant General
O/o. The Accountant General
261, Anna salai,
Chennai – 600 018.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for



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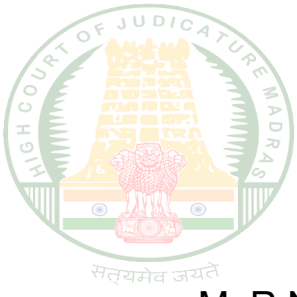
the records pertaining to the Government's Letter No.19104/Court-V/2022-7, Home (Courts-V) dated 01.08.2024 and to quash the same and pleased to direct the respondent to issue necessary orders for inclusion of 50% petitioner's Part Time Teaching Services with that of Madras High Court Service.

For Petitioner	:	Mr.G.Gopalakrishnan
For Respondent-1	:	Dr.R.Gouri
		Government Counsel
For Respondent-2	:	Mr.E.V.Chandru alias
		E.Chandrasekaran
For Respondent-3	:	Mr.P.Manorajan

ORDER

Order of the Court was made by S.M.Subramaniam, J.)

The writ petition on hand had been instituted challenging the order dated 01.08.2024 issued by the Additional Chief Secretary to Government, Home (Courts-V) Department, Chennai, first respondent herein, declining the request of the petitioner to include 50% of petitioner's Part Time Teaching services along with Madras High Court Service as qualifying service for pension and pensionary benefits.



2.The facts in brief would show that the writ petitioner

Mr.R.N.Arul Jothi was served as Part Time Vocational Instructor in Rama Krishna Higher Secondary School, Tirupattur for the period from 30.07.1982 to 31.05.1983. Thereafter, he served as Part Time Teacher in Sri Meenakshi Government Girls Higher Secondary School, Tirupattur for the period from 19.07.1984 to 25.10.1988.

3.Subsequently, the petitioner entered into Madras High Court services on 06.02.1989 and was promoted up to the level of Assistant Registrar and retired from service on 31.08.2018 on attaining the age of superannuation. Pertinently, the petitioner had resigned the post of Part Time Vocational Instructor in Sri Meenakshi Government Girls Higher Secondary School, Tirupattur on 25.10.1988. Since the petitioner rendered services as Part Time Vocational Teacher in a private school and he had resigned the post, the question of counting 50% of past services does not arise at all.

4.Rule 11(2) (i) of the Tamil Nadu Pension Rules, 1978, in an unambiguous terms reiterates that even for counting of 50% of



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the past services, an employee must have been appointed in a job involving whole time employment. Rule 11(2)(i) of the Tamil Nadu Pension Rules, 1978 reads as under:

“11. Commencement of qualifying service. – (1) ...

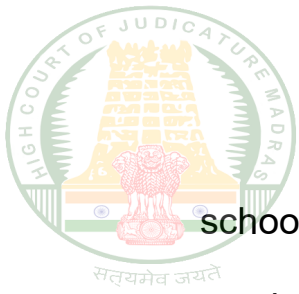
(2) Half of the service paid from contingencies shall be allowed to count towards qualifying service for pension along with regular service subject to the following conditions:-

(i) Service paid from contingencies shall be in a job involving whole time employment and not part-time for a portion of the day.”

4.1. Sub-Rule (iv) to Rule 11 of the Tamil Nadu Pension Rules, 1978, reads as under:

“(iv) Service paid from contingencies shall be continuous and followed by absorption in regular employment without a break.”

5. Apart from counting of 50% of Part Time employment rendered by the writ petitioner, he resigned the job in the aided



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school. There was a break in service in respect of the temporary services rendered by the petitioner in the schools. Under Rule 23 of the Tamil Nadu Pension Rules, 1978, resignation from a service or post entails forfeiture of past service. The proviso clause to Rule 23 will not apply to the case of the writ petitioner, since it is not established that he has submitted an application to take up a new employment with proper permission under any other services where the services qualifies under the Tamil Nadu Pension Rules, 1978.

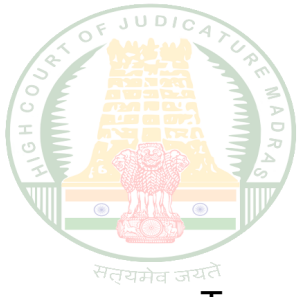
6.On both these grounds, the claim of the writ petitioner is found to be untenable and this Court does not find any infirmity in the order impugned in the present writ petition. Consequently, the writ petition stands dismissed. However, there shall be no order as to costs.

[S.M.S., J.]

[N.S., J.]

02.07.2026

Index : Yes
Speaking Order : Yes
Neutral Citation : Yes / No
TK



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To

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