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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HONOURABLE MR.JUSTICE T. VINOD KUMAR

**WP Nos.4031, 4033 & 4035 of 2019 and
WMP Nos.12785, 12794 & 13900 of 2019**

Tulukkanam
K.Rani
Ramani

Petitioner in W.P.No.4031 of 2019
Petitioner in W.P.No.4033 of 2019
Petitioner in W.P.No.4035 of 2019

Vs

1. The State of Tamil Nadu
Rep. by its Secretary,
Health and Family Welfare Department,
Fort.St.George, Chennai-600 009.

2.The Office Superintendent,
Institute of Child Health & Hospital
for Children, Egmore,
Chennai-600 008.

3.The Director,
Institute of Child Health and Hospital
for Children, Egmore,
Chennai-600 008.

4.The Pay & Account Officer,
Pay & Accounts Office (East),
Egmore, Chennai-600 008.

Respondents in all cases

COMMON PRAYER Writ Petition filed under Article 226 of the Constitution of India, seeking to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order of the second respondent made in U.O NOTE Form



E4 Section, dated 26.07.2018, U.O NOTE Form E1(2) Section dated 26.07.2018 and U.O NOTE Form E4, dated 12.07.2018, to quash the same and to consequently direct the respondents to grant and extend pension and other retirement benefits to the petitioner in terms of the Tamil Nadu Pension Rules, 1978.

In all cases

For Petitioners : Mr.L.Chandrakumar

For Respondents: Mr.K.Tippusulthan,
Government Advocate
for R1 to R3
Mr.V.Vijay Shankar for R4

COMMON ORDER

Heard the learned counsel for the petitioners, the learned Government Advocate appearing on behalf of the respondents 1 to 3 and the learned counsel appearing on behalf of the 4th respondent and perused the records.

2. It is the case of the petitioners that they were absorbed in the permanent Government Service in terms of Rule 9 (1) of the Special Rules to the Tamil Nadu Basic Services as per G.O.Ms.No.149, dated 08.05.2007 in the post of Record Clerk, Institute of Child Health & Hospital for Children, Egmore in the year 2007 and retired from service in the years 2014, 2014 and 2012 on attaining the age of superannuation.



3. It is the further case of the petitioners that the respondents in the process of the settling retirement dues, had failed to extend mandatory pension by considering 50% of their past service rendered initially in the year 1991.

4. However, when the writ petitions are taken up for hearing, the learned Government Advocate appearing on behalf of the respondents had brought to the notice of this Court the Judgment of the Full Bench of this Court in W.A.No.158 of 2015 on 03.12.2016 wherein the Hon'ble Full Bench had held that the employees whose full services have been regularised before 01.04.2003 are only entitled for being granted benefit; that in as much as the petitioners have been absorbed in regular service only in the year 2007, the petitioners are not entitled for being granted the benefits as sought for in the writ petitions.

5. In view of the aforesaid submission made on behalf of the respondents and having regard to the decision of the Full Bench of this Court and taking note of the fact that the petitioners were absorbed in the regular Government service only in the year 2007, the case of the petitioners is squarely covered by the aforesaid decision of the Full Bench of this Court and the petitioners are not entitled for being granted any relief in the present Writ Petitions.



6. Accordingly, these Writ Petitions fail and are dismissed. No costs

Consequently, connected miscellaneous petitions are closed.

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Index:Yes/No

Speaking/Non-speaking order

Neutral Citation:Yes/No

To

1.The Secretary,
Health and Family Welfare Department,
Fort.St.George, Chennai-600 009.

2.The office superintendent
Institute of Child Health and Hospital
for Children, Egmore,
Chennai-600 008.

3.The Director Institute of
Child Health and Hospital for Children
Egmore, Chennai-600 008.

4.The pay and Account officer
Pay and Accounts Office (East)
Egmore, Chennai-600 008.



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