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W.P.No.12419 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2026

CORAM:

THE HONOURABLE MR. JUSTICE T.VINOD KUMAR

W.P.No.12419 of 2021

and

W.M.P.Nos.13203 and 13205 of 2021

T.Baskaran

... Petitioner

vs

1. Government of Tamil Nadu,
Rep. By its Principal Secretary,
Department of Higher Education,
Fort St. George, Chennai – 09.
2. The Director of Collegiate Education,
College Road, Chennai – 06.
3. The Joint Director of Collegiate Education,
Vellore Region, Vellore.
4. Jawahar Science College,
Rep. By its Secretary, Block – 14,
Neyveli – 607 803.

... Respondents

Prayer: Writ Petitions are filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order dated 22.02.2021 passed by the fourth respondent in Lr.No.JSC/Est.Ret./2020-21-40 quash the same and declare that the action of the fourth respondent in not extending the petitioner's services in their College till he



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attains the age of 60 years as per G.O.Ms.No.29, Personnel and Administrative Reforms (S) Department, dated 25.02.2021 as illegal, arbitrary and discriminatory and consequently direct the fourth respondent to continue the petitioner's services till he attains the age of 60 years and till 31.05.2022, as per the above G.O and as extended in the case of Aided Colleges Teachers, Award Costs.

For Petitioner : Mr.G.Vijay Priyan
for Mr.S.Manogaran

For Respondents : Mr.Vadivelu Deenadayalan
Additional Government Pleader for R1 to R3
: Mr.N.Nithianandam for R4

ORDER

Heard the learned counsel for the petitioner, learned Additional Government Pleader for the respondents 1 to 3 and the learned counsel for the fourth respondent and perused the records.

2. The petitioner by the writ petition has assailed the action of the respondents in not granting benefit of G.O.Ms.No.29, dated 25.02.2021, Personnel and Administrative Reform (S) Department by increasing the age of retirement from 59 years to 60 years to the employees who are going to be retired from service on or after 31.05.2021.



3. When the Writ Petition is taken up for hearing, the learned counsel for the fourth respondent submitted that the issue raised in this writ petition is squarely covered by the decision of the Co-ordinate Bench of this Court dated 10.02.2022 in W.P.No.12396 of 2021, wherein this Court had observed as under:

“10. On a perusal of the records, it is seen that the fourth respondent/Jawahar Science College is a Self Finance Arts and Science College, administered by the Educational Agency of Jawahar Educational Society, Neyveli, and affiliated to Thiruvallurvar University, Vellore. Further, G.O.Ms.No.29, dated 25.02.2021, is not applicable to the fourth respondent since no grant-in-aid is sanctioned by the Government to the Teaching and Non-teaching staff of Self Financing Colleges. Further, in the order passed by this Court in W.P.No.7810 of 2010, dated 10.07.2020 and the order passed by this Court in W.P.No.7810 of 2010, dated 10.07.2020 and the order passed by the Hon’ble Division Bench of this Court in W.A.No.610 of 2020, dated 07.08.2020, it has been held that “a staff working in unaided institution cannot expect himself to be treated along with the Government Staff for the benefit under the G.O.Ms.No.29, dated 25.02.2021.”

11. In view of the above facts and circumstances of the case and in the light of the order passed by this Court in W.P.No.7810 of 2010, dated 10.07.2020 and the order passed by the Hon’ble Division Bench of this Court in W.A.No.610 of 2020, dated 07.08.2020, this



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Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed."

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4. The aforesaid submission of the learned counsel for the fourth respondent is not disputed by the learned counsel for the petitioner.

5. In view of the above and for the reasons alike as stated in the order in W.P.No.12396 of 2021, this writ petition has to fail and accordingly, dismissed. Consequently, connected Miscellaneous Petitions are closed. No costs.

08.01.2026

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

dh



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T. VINOD KUMAR, J.

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