



WEB COPY



WA No. 3810 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-01-2026

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE SHAMIM AHMED

WA No. 3810 of 2025

S.Kalavathy, D/o. S. Subramaniam,
P.G. Assistant (Retired), Plot No.62, Jayanagar Street,
Noombal, Sivam Nagar, Ayyappan Thangal,
Chennai - 077.

..Appellant

Vs

1. Government Of Tamil Nadu
Rep. by the Principal Secretary to Government,
School Education Department, Secretariat,
Chennai – 009.
2. The Director Of School Education
College Road, Chennai – 006.
3. The Joint Director Of School Education
College Road, Chennai – 006.
4. The Principal/Correspondent
Alagappa Matriculation Higher Secondary School,
Purasaiwakkam, Chennai - 084.

..Respondents

Prayer : Writ Appeal under Clause XV of the Letters Patent to allow this WA, set aside the order dt.04.03.2024 in WP No.12568/2017.

For Appellant :

Mr.J.Muthukumaran

For Respondents :

Mr.J.C.Dorairaj
Additional Government Pleader



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Judgment
(Judgment of the Court was delivered by R.Suresh Kumar J.)

This writ appeal has been preferred against the order passed by the learned Writ Court dated 04.03.2024 made in W.P.No.12568 of 2017.

2. The issue raised before the Writ Court was as to whether the appellant / writ petitioner is entitled to calculate her past services of 23 years and 3 months as P.G.Assistant, which she has rendered in an unaided school as combined service for the purpose of pension, as she subsequently got into service in a Government School and retired.

3. The learned Judge, having considered the earlier order passed in this regard in W.P.(MD) No.4881 of 2015 dated 10.10.2022, has rejected the writ petition through the impugned order. Aggrieved by the same, the present writ appeal is filed.

4. If at all the service had been rendered in a private unaided school or self financing institution, no doubt as per the settled law such a service cannot be taken as qualifying service for the purpose of pension. But at the same time, if the service had been rendered in an aided school, where the post is sanctioned and approved and the teacher who had been working there subsequently joins



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Government School, such a service can be taken as qualifying service for calculation of pension.

5. In view of the said settled legal position, absolutely there was no scope for the writ petitioner to seek for such a prayer and therefore it was rightly rejected by the learned Judge. We do not propose to interfere with the same. Hence, the writ appeal fails and the same is dismissed. No costs.

(R.S.K.,J.) (S.S.A.,J.)
06-01-2026

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

KST

To

1. The Principal Secretary to Government, School Education Department, Secretariat, Chennai – 009.
2. The Director Of School Education, College Road, Chennai – 006.
3. The Joint Director Of School Education College Road, Chennai – 006.



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