



WP.(MD)Nos.731 of 2026 & 27849 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.02.2026

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

WP.(MD)Nos.731 of 2026 & 27849 of 2023
and
WMP.(MD)Nos.594 of 2026 & 23942 of 2023

WP.(MD)No.731 of 2026

O.Selvam

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep.by Secretary to Government,
School Education Department,
Fort.St.George,
Chennai-600 009.

2.The Director of School Education,
O/o.The Director of School Education,
DPI Campus, College Road,
Chennai.

3.The Joint Director of School Education (Personnel),
O/o the Joint Director of School Education,
DPI Campus, College Road,
Chennai.

4.The Chief Educational Officer,
Madurai, Madurai District.

... Respondents



WP.(MD)Nos.731 of 2026 & 27849 of 2023

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondents to disburse the retirement and pensionary benefits of the petitioner with effect from the date of his retirement ie., from 28.02.2025 along with an accrued interest thereof in pursuant to the order passed by the fourth respondent in Na.Ka.No.10064/ A1/2022 dated 28.02.2025 within the period that may be stipulated by this Court.

For Petitioner : Mr.H.Mohammed Imran,
for M/s.Ajmal Associates.

For Respondents : Mr.M.Sarangan,
Additional Government Pleader.

WP.(MD)No.27849 of 2023

O.Selvam

... Petitioner

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2.The Director of School Education,
O/o.The Director of School Education,
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DPI Campus, College Road,
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4.The Chief Educational Officer,
Madurai, Madurai District.

... Respondents

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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, to direct the respondents to treat the period of unemployment of service from 05.03.2022 to 07.11.2022 as spent on duty with all monetary benefits and all other attendant benefits with view of the order passed by the Division Bench of this Court in WA.(MD)No.254 of 2022 dated 25.03.2022 within the period that may be stipulated by this Court.

For Petitioner : Mr.H.Mohammed Imran,
for M/s.Ajmal Associates.

For Respondents : Mr.M.Sarangan,
Additional Government Pleader.

COMMON ORDER

The petitioner is a retired Deputy Inspector of Schools. He retired on 28.02.2025 on attaining superannuation. While he was working as Deputy Inspector of Schools, he was transferred and posted as BT Assistant in the third respondent School, on 06.01.2022. This order of transfer has been challenged by way of a writ petition before this Court in WP.(MD)No.429 of 2022 and this Court granted an



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order of interim stay, however, subsequently, the said writ petition has been dismissed, on 04.03.2022. Against which, the petitioner has preferred a writ appeal in WA.(MD)No.254 of 2022 and the same was allowed, by a judgment dated 25.03.2022. A Special Leave Petition was preferred by the Department before the Hon'ble Supreme Court and the same was also dismissed. In these circumstances, the petitioner herein has filed a writ petition in WP.(MD)No.27849 of 2023 seeking a direction to treat his unemployment period, ie., from 05.03.2022 to 07.11.2022 as spent on duty with all monetary benefits and all other attendant benefits in view of the order passed by the Division Bench of this Court in WA.(MD)No.254 of 2022 dated 25.03.2022.

2.The respondents claim that the request of the petitioner for treating the period of unemployment ie., from 05.03.2022 to 07.11.2022 has been considered by the Chief Educational Officer, Madurai, pursuant to the directions of the Joint Director of School Education and it has been adjusted from earned leave and unearned leave, vide proceedings in Na.Ka.No.10064/ A1/2022, dated 05.02.2026.



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3. Pending writ petition in WP.(MD)No.27849 of 2023, the petitioner has also filed another writ petition in WP.(MD)No.731 of 2026 seeking another direction to the respondents to disburse the retirement and pensionary benefits of the petitioner with effect from the date of his retirement ie., from 28.02.2025 along with an accrued interest.

4. In response to the above said writ petition, the learned Additional Government Pleader submits that the amount has been uploaded only in the month of January 2026, in view of the pendency of the writ petition in WP.(MD)No.27849 of 2023.

5. This Court has considered the submissions made on either side and perused the records carefully.

6. In view of the order passed by the Chief Educational Officer, Madurai, in Na.Ka.No.10064/A1/2022 dated 05.02.2026, the **writ petition in WP.(MD)No.27849 of 2023 is disposed of** with a liberty to the petitioner to challenge the same, if he is so aggrieved.



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WEB COPY 7. Insofar as the writ petition in WP.(MD)No.731 of 2026 is concerned, admittedly, the petitioner was allowed to retire on attaining superannuation, on 28.02.2025. However, the contributory pension amount, which is due to the petitioner, has been uploaded only on 28.01.2026. Therefore, the belated payment needs to be paid together with interest at the rate of 6%. Accordingly, the **writ petition in WP.(MD)No.731 of 2026 is partly allowed** with a direction to the respondents to pay interest amount from the date of his retirement till the amount has been uploaded, within a period of three months from the date of receipt of a copy of this order. The retirement benefits, if any, due to this petitioner shall also be paid within this period of 3 months and any further belated payment is liable to be paid along with an interest at the rate of 6%. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

09.02.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes
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To

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O/o.The Director of School Education,
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B.PUGALENDHI,J

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