



WA(MD)No.603 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 29.04.2026

CORAM

**THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR**  
**and**  
**THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN**

WA(MD)No.603 of 2026  
and  
CMP(MD)No.5768 of 2026

1. The State of Tamil Nadu,  
Represented by its Secretary,  
Department of Finance (Pension),  
Fort St George,  
Chennai 600 009.

2. The State of Tamil Nadu,  
Represented by its Secretary,  
Department of School Education,  
Fort St.George, Chennai 600 009.

3. The Director of School Education,  
College Road,  
Chennai 600 006.

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

5. The Headmaster,  
Government Higher Secondary School,  
Avudaiyar Koil  
Pudukkottai – 614 618.

... Appellants



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Vs.

1. M. Kandhavel

2. The Accountant General,  
Office of the Accountant General,  
261, Anna Salai,  
Chennai 600 018.

... Respondents

PRAYER :- Writ Appeal filed under Clause 15 of Letters Patent, against the order made in W.P(MD)No.28864 of 2024 dated 11.12.2024.

|                |                                               |
|----------------|-----------------------------------------------|
| For Appellants | : Mr.J.Ashok<br>Additional Government Pleader |
| For R1         | : Ms.A.Amala                                  |

### **JUDGMENT**

(Judgment of the Court was made by **N.SATHISH KUMAR, J.**)

Challenging the order of the learned Single Judge dated 11.12.2024 passed in W.P(MD)No.28864 of 2024, the present writ appeal has been filed.

2. Heard the learned Additional Government Pleader for the appellants and the learned counsel for the first respondent.



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3. The writ petition has been filed by the first respondent / writ petitioner stating that he was appointed as a Secondary Grade Teacher on 07.11.1997 with the qualification of B.Sc and B.Ed. The writ petitioner has undergone one month Child Psychology Training between 02.05.2003 and 31.05.2003. The authorities have approved the appointment of the writ petitioner as Secondary Grade Teacher with effect from 07.11.1997 onwards. The writ petitioner has attained the superannuation on 30.06.2024. When the pension proposals were forwarded to the 2<sup>nd</sup> respondent under the order impugned in the writ petition, the 2<sup>nd</sup> respondent has returned the same, stating that pension can be sanctioned only after excluding the period prior to the completion of Child Psychology Training. Challenging the same, the writ petition was filed. The Writ Court following the Division Bench judgment of this Court in ***State of Tamil Nadu, Represented by its Secretary, Education Department Vs. Pallivasal Primary School, Represented by its Correspondent, Mudukulathur, [W.A.No.249 of 2002, dated 02.04.2004]***, allowed the writ petition by impugned order holding that that though the period during which the writ petitioner was not possessing the Child Psychology Certificate, cannot be considered for



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any other purpose, the same could be counted for the purposes of pension. As against the said order, the Government has filed this appeal.

4. It is relevant to note that the judgment in ***Pallivasal Primary School's case*** (cited supra) has reached finality and in the said judgment, the issue was clearly held that the past service shall be calculated for the pension. Later, another Division Bench in ***W.A.(MD) No.1464 of 2021, vide order dated 28.07.2021*** in the case of ***District Elementary Educational Officer, Tirunelveli and others vs. M.S.Shanthi and others*** has also followed the ***Pallivasal Primary School's*** case.

5. In such view of the matter, as the past service is ordered to be counted for pension, we do not find any infirmity in the order of the learned Single Judge. Hence, Writ Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]  
29.04.2026

Index : Yes / No  
Neutral Citation : Ye / No



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**N.SATHISH KUMAR, J.**  
**AND**  
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ORDER MADE IN  
WA(MD)No.603 of 2026  
DATED : 29.04.2026