



W.P(MD)No.15813 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P(MD)No.15813 of 2025

K.Saravana Shanthi

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by its Secretary to Government,
School of Education Department,
Secretariat,
Chennai.
- 2.The Director of School Education,
Office of the Director of School Education,
D.P.I. Campus,
College Road,
Chennai – 6.
- 3.The District Elementary Educational Officer,
Virudhunagar District.
- 4.The Additional Assistant Elementary Educational Officer,
Srivilliputhur,
Virudhunagar District.
- 5.The Secretary,
Andal Aided Primary School,
Srivilliputhur,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,



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praying this Court to issue a Writ of Mandamus, directing the respondents 3 and 4 to count the past services of the petitioner from the date of her initial appointment i.e. 06.04.1998, and admit her in the old pension scheme by extending the benefit of the orders passed in *Pallivasal Primary School Vs. 2004(2) LW 591* and *V.Vasanthi Vs. State of Tamil Nadu (2019 (4) CTC 865)* within the period that may be stipulated by this Court.

For Petitioner : Mr.M.Benazir Begum

For R1 to R4 : Mr.N.Satheesh Kumar,
Additional Government Pleader

ORDER

The Writ Petition has been filed seeking issuance of a Writ of Mandamus directing respondents 3 and 4 to count the past services of the petitioner from the date of her initial appointment, i.e., 06.04.1998, and to admit her into the Old Pension Scheme by extending the benefit of the orders passed in *the State of Tamil Nadu v. Pallivasal Primary School* and *V. Vasanthi v. State of Tamil Nadu*.

2. An identical claim had earlier been made by the petitioner by filing W.P.(MD) No.6097 of 2013, which was originally allowed by the learned Single Judge by order dated 01.03.2017. However, the said order of the learned Single Judge was reversed by the Hon'ble Division Bench in W.A.(MD) No.350 of 2018 by judgment dated 01.08.2024, wherein it was held in paragraph No.15 as



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follows:

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“ 15. Accordingly, the prayer of the writ petitioner seeking direction to the respondents to approve her appointment as a Secondary Grade Teacher with effect from 06.04.1998 with all consequential benefits fails and the order of the learned Single Judge passed in W.P.(MD).No.6097 of 2013 dated 01.03.2017 is set aside. The Writ Appeal stands allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.”

3. From the above, it is clear and evident that the claim made by the petitioner for approval of her appointment as Secondary Grade Teacher with effect from 06.04.1998, with all consequential benefits, was negatived. However, the service rendered by the petitioner prior to acquiring / completing the Child Psychology Course was directed to be counted only for the purpose of pension, in terms of the orders passed by the Hon'ble Division Bench in ***The State of Tamil Nadu v. Pallivasal Primary School*** reported in ***2004(2) LW 591***.

4. Thus, the claim of the petitioner for regularisation / approval of her appointment with effect from 06.04.1998 was negatived by the Division Bench of this Court. In the present Writ Petition, the petitioner is seeking a direction to respondents 3 and 4 to count her past service from the date of initial



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appointment, namely, 06.04.1998, and to admit her into the Old Pension Scheme.

5. In substance, the relief that had earlier been negated by the Division Bench of this Court is once again sought to be obtained indirectly by making a claim to take into consideration the initial appointment of the petitioner and extend the benefit of the Old Pension Scheme. In the light of the judgment of the Hon'ble Division Bench dated 01.08.2024 in W.A.(MD) No.350 of 2018, the relief sought for in the present Writ Petition is wholly misconceived and cannot be entertained. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

21.04.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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MUMMINENI SUDHEER KUMAR,J.

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