



W.P.(MD) No.16350 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.16350 of 2026

and

W.M.P.(MD) No.12206 of 2026

C.Thanga Muthu Pandian

... Petitioner

-VS-

1.The Accountant General
Office of Accountant General
361, Annasalai, Chennai

2.The Chief Educational Officer
Tenkasi, Tenkasi District

3.The District Educational Officer
Tenkasi, Tenkasi District

4.The Secretary
David Primary School
Aravankudiyiruppu
Tenkasi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus calling for the records relating to the impugned order of the first respondent in



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No.E22/12233683/5/R2233683/490, dated 10.12.2025 insofar as calculating the pension for 21 years 0 month 29 days of service as illegal and quash the same and consequently direct the respondent to revise the pension pay by taking the qualifying service as 28 years 09 months 25 days instead of 21 years 0 month 29 days and disburse arrears and all other monetary benefits within stipulated period as fixed by this Court.

For Petitioner : Mr.S.Chella Pandian

For Respondents : Mrs.Mahalakshmi for R1
Mrs.K.Porkodi
Counsel for the Government for R2 & R3

ORDER

Mrs.Mahalakshmi, learned counsel, takes notice for the first respondent and Mrs.K.Porkodi, learned counsel for the Government, takes notice for the respondents 2 & 3.

2. In view of the settled position of law with regard to the relief sought in this writ petition, notice to the fourth respondent is dispensed with.



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3. With the consent of both sides, this writ petition is disposed of at the admission stage.

4. Heard the learned counsel for the petitioner, learned counsel appearing for the first respondent and learned counsel for the Government appearing for the respondents 2 & 3.

5. This writ petition has been filed challenging the proceedings dated 10.12.2025, issued by the first respondent, whereby the service rendered by the petitioner prior to completion of the Child Psychology course as Secondary Grade Teacher was refused to be taken into consideration for the purpose of pension.

6. Learned counsel for the petitioner contended that the issue that arises for consideration in this writ petition as to whether the service rendered by the petitioner prior to completion of the Child Psychology course as Secondary Grade Teacher is to be counted for the purpose of pension or not has come up for consideration before this Court in W.P.(MD) No.5818 of 2026 and the said writ petition was allowed by this Court *vide* order dated 26.03.2026. A copy of the said order is also placed before this Court.



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7. Mrs.Mahalakshmi, learned counsel appearing for the first respondent, fairly submitted that the present writ petition can also be disposed of in terms of the order dated 26.03.2026, passed by this Court in W.P.(MD) No.5818 of 2026.

8. Mrs.K.Porkodi, learned counsel for the Government, appearing for the respondents 2 & 3 also not disputed the legal position prevailing as on date.

9. In the circumstances, this Court does not see any reason to re-adjudicate the matter once again.

10. This Court, by an order dated 26.03.2026 in W.P.(MD) No. 5818 of 2026, has held as under:

“7. From the perusal of the material on record, it is evident that the order passed by Division Bench of this Court in W.A.(MD) No.249 of 2002 and batch dated 02.04.2004 has attained finality and following the said order, various Co-ordinate Benches of this Court have been extending the benefit of counting the past service, i.e., the



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service rendered prior to completing the Child Psychology Training Course for the purpose of pensionary benefits alone.

8. In one such order in W.P.(MD)No.4968 of 2024 dated 13.11.2024 and the said order is also appealed against by the State and the same as confirmed by the Division Bench of this Court in W.A.(MD) No.248 of 2026 and the petitioner in the said petition was also extended the benefit of counting the past service for the purpose of pension.

9. As the issue has been already decided long back by the Division Bench of this Court and the said judgement has been operating for all these years, this Court does not see any reason to deviate from the consistent view taken by various Co-ordinate Benches as well as Division Bench of this Court.

10. The learned counsel appearing for the 1st respondent submitted that the Office of the 1st respondent has already addressed a letter dated 09.02.2026 requesting for clarification on this aspect as to whether the past service rendered by the Secondary Grade Teachers can be treated as a qualifying service for the purpose of pension or not and the said clarification is awaited. In the considered view of this Court absolutely there is no necessity for the 1st respondent to seek any such clarification as the issue has already attained finality as early as in the year 2004.



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11. Accordingly, the writ petition is allowed, directing the respondents to review the impugned order duly taking into consideration the service rendered by the petitioner from 03.06.1996 to 31.05.2003 only for the purpose of pension and issue the revised order as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this order. No costs.”

11. In the light of the above, the impugned order cannot be sustained. Accordingly, the impugned order dated 10.12.2025, passed by the first respondent, is hereby quashed and this writ petition is allowed directing the first respondent to review the impugned order by duly taking into consideration the service rendered by the petitioner from 09.06.1997 to 31.05.2003 only for the purpose of pension and issue a revised order as expeditiously as possible, at any rate, within a period of two months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

16.06.2026

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

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To:

- 1.The Chief Educational Officer,
Tenkasi, Tenkasi District.
- 2.The District Educational Officer,
Tenkasi, Tenkasi District.



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MUMMINENI SUDHEER KUMAR, J.

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W.P.(MD) No.16350 of 2026
and
W.M.P.(MD) No.12206 of 2026

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