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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WA No. 129 of 2024, WA NO. 598 of 2023, WA NO. 120 of 2024
& WA NO. 132 of 2024

and

CMP NO. 5810 of 2023, CMP NO. 17761 of 2024, CMP NO. 17764 of 2024,
CMP NO. 670 of 2024, CMP NO. 733 of 2024
& CMP NO. 716 of 2024**WA No. 129 of 2024:**

1. The Government of Tamilnadu
Rep by its secretary
School Education Department Fort St George
Chennai 9
2. The Director of Teacher Education
College Road Chennai-6
3. The Principal
District Institute of Education and Training,
Kaliyampoondi,
Kancheepuram District-603 402

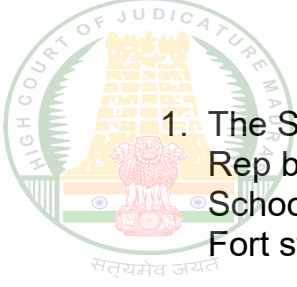
..Appellant(s)

Vs

1. J.Jasmine Kamala Sunira
W/o Dr C.E. Jebaraj Walter
1/75 4th Avenue Sunder Nagar
Guindy chennai 600 032
2. The Correspondent
Gnanodhaya Teacher Training Institute,
Polwells Road, St.Thomas Mount,
Chennai-16

..Respondent(s)

WA No. 598 of 2023



1. The State of Tamil Nadu
Rep by its Principal Secretary to Government,
School Education Department, Secretariat,
Fort st.George, Chennai-600 009
2. The Director of Elementary Education
DPI Campus, college Road, Chennai-600 006
3. The District Educational officer
Kallakurichi Educational District, Kallakurichi
District
4. The Additional Assistant Elementary
Educational officer
(Presently Block Educational officer-II),
Chinnasalam Block, Kallakurichi District

..Appellant(s)

Vs

M.Pushpa Therese
D/o.S.Mariyasamy, Headmaster,
Panchayat Union Middle school,
Kadathur-606 201
Chinnasalam Block, Kallakurichi District

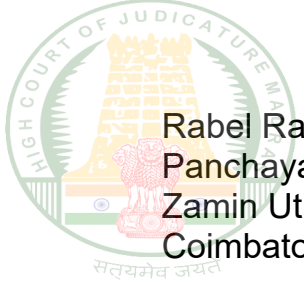
..Respondent(s)

WA No. 120 of 2024

1. The State of Tamil Nadu
Rep. by Secretary to Government,
School Education Department, Fort St.
George, Chennai - 600009
2. The Director of Elementary Education
DPI Campus, College Road, Chennai - 600006
3. The District Educational officer
Coimbatore District.
4. The Assistant Elementary Educational officer
(Now re-designated as Block Educational
officer), Pollachi (North), Coimbatore District

..Appellant(s)

Vs



Rabel Raj (B.T. Assistant)
Panchayat Union Middle School, Bodipalayam,
Zamin Uthukuli Post 642004, Pollachi (North),
Coimbatore District Coimbatore

..Respondent(s)

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WA No. 132 of 2024

1. The State of Tamilnadu
Rep by its Principal secretary to Government
School Education department
Secretariat Fort.St. George, Chennai-9.
2. The Director of Elementary Education
DPI Campus, College Road, Chennai-6.
3. The District Educational officer
Nagapattinam District, Nagapattinam.
4. The Additional Assistant Elementary
Educational officer
Thirumarugal, Nagapattinam Dt.
5. The Block Educational officer II
Thirumarugal Union, Nagapattinam District.

..Appellant(s)

Vs

R.Nirmala
W/o. K.Bandamanikkam
Headmaster, Panchayat Union Middle School
Athalaiyur, Thirumurugal Union
Nagapattinam District.

..Respondent(s)

WA No. 129 of 2024

Prayer: Appeal filed under clause 15 of Letters Patent to set aside the order dated 06.02.2023 made in WP No.2834/2023 and allow the Writ Appeal.

WA No. 598 of 2023

Prayer: Appeal filed under clause 15 of Letters Patent to set aside the order dated 27.10.2021 made in WP No.22907/2021 and allow this Writ Appeal

WA No. 120 of 2024

Prayer: Appeal filed under clause 15 of Letters Patent to set aside the order dated 23.09.2022 made in WP No.22963 of 2019 and allow this Writ Appeal.

**WA No. 132 of 2024**

Prayer: Appeal filed under clause 15 of Letters Patent to set aside the order dated 13.06.2023 made in WP No.33560 of 2019 and allow this Writ Appeal.

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For Appellant(s):

Dr.R.Gouri
Government counsel
(in all the Appeals)

For Respondent(s):

Mr.P.Ebenezer Paul (W.A.No.129 of 2024)

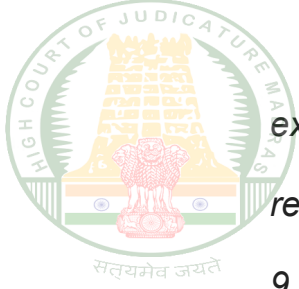
Mr.S.Nedunchezhiyan (W.A.Nos.598 of 2023
& 132 of 2024)

Ms.S.Suneetha (W.a.No.120 of 2024)

COMMON JUDGEMENT**(Judgment of the Court was delivered by S.M.Subramaniam J.)**

The issues raised in the present Writ Appeals are no more res integra and the full bench of this Court has considered the issues and passed an order on 11.06.2026 in W.P.Nos.27261 of 2019 and etc., batch. The relevant portions of the said order reads as under:.

“8. A holistic reading of the New Policies implemented through G.O.Ms.No.37 Personnel and Administrative Reforms (FR-IV) Department dated 10.03.2020 and G.O.(Ms) No.95, Human Resources Management (FR-IV) Department dated 26.10.2023 amplifies that employees, who were sanctioned advance incentive increment prior to issuance of G.O.Ms.No.37 dated 10.03.2020, shall be protected. If at all any recovery is made due to Audit objection or otherwise, those recoveries of excess pay alone are also set aside in view of the fact that recovery of



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excess pay after long years from the date of sanction would result in hardship to employees.

9. As far as applications pending prior to 10.03.2020, wherein advance increments are not sanctioned and applications submitted after the cut off date of 10.03.2020 are concerned, all such applications are to be strictly considered in accordance with the new scheme implemented by Government vide G.O. (Ms) No.95, Human Resources Management (FR-IV) Department dated 26.10.2023. Even in respect of applications submitted prior to the cut off date of 10.03.2020, no right accrued to employees and therefore, such applications are also to be considered in terms of G.O.(Ms) No.95, Human Resources Management (FR-IV) Department dated 26.10.2023.

10. The above directions are issued with reference to the new incentive increment Scheme introduced in G.O.(Ms) No.95, Human Resources Management (FR-IV) Department dated 26.10.2023. As far as reference made to this Full Bench is concerned, the old incentive increment policy based on G.O.Ms.No.42, Education Department, dated 10.01.1969 was cancelled and is not in force. Therefore, no Government employee is entitled to claim the benefit of incentive increment based on the cancelled incentive increment policy. All such employees are at liberty to submit applications, if not already



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submitted, claiming incentive increment in tune with the new incentive increment policy implemented in G.O.(Ms) No.95, Human Resources Management (FR-IV) Department dated 26.10.2023.

11. Accordingly, Reference made to this Full Bench is answered. Registry is directed to list all the pending cases before concerned Courts holding roster. This Full Bench requests early disposal of all the cases.”

In terms of the full bench order cited supra, these Writ Appeals stand disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

(S.M.S.,J.) (N.S.,J.)
14-07-2026

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

sai



WA No. 129 of 2024

To

1. J.Jasmine Kamala Sunira
W/o Dr C.E. Jebaraj Walter 1/75 4th Avenue
Sunder Nagar Guindy chennai 600 032
2. The Correspondent
Gnanodhaya Teacher Training Institute,
Polwells Road, St.Thomas Mount, Chennai-16

WA No. 598 of 2023

To

M.Pushpa Terese
D/o.S.Mariyasamy, Headmaster, Panchayat
Union Middle school, Kadathur-606 201
Chinnasalam Block, Kallakurichi District

WA No. 120 of 2024

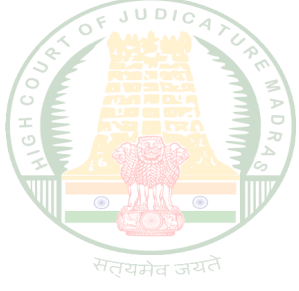
To

Rabel Raj (B.T. Assistant)
Panchayat Union Middle School, Bodipalayam,
Zamin Uthukuli Post 642004, Pollachi (North),
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WA No. 132 of 2024

To

R. Nirmala
W/O. K.Bandamanikkam Headmaster Panchayat
Union Middle School Athalaiyur, Thirumurugal
Union Nagapattinam District.



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