



WA(MD)No.912 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 24.06.2026

CORAM

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

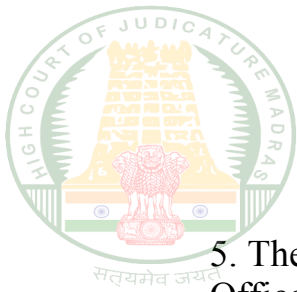
WA(MD)No.912 of 2026  
and  
CMP(MD)No.7799 of 2026

K.Fathima Mary

... Appellant

Vs.

1. The State of Tamil Nadu,  
Rep by its Secretary to Government,  
School Education Department,  
Fort St.George, Chennai – 600 009.
2. The Director of Elementary Education,  
Office of the Director of Elementary Education,  
College Road, Chennai - 6.
3. The District Educational Officer(Elementary),  
Office of the District Educational Office,  
Karur, Karur District.
4. The Secretary,  
St. Mary's Government Aided Primary School,  
Pasupathipalayam,  
Karur Block,  
Karur District.



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5. The Block Educational Officer,  
Office of the Block Educational Office,  
Karur Block,  
Karur District.

... Respondents

PRAYER :- Writ Appeal filed under Clause 15 of Letters Patent, against the order made in W.P(MD)No.19221 of 2025 dated 29.08.2025.

|                   |                                                   |
|-------------------|---------------------------------------------------|
| For Appellant     | : Mr.H.Mohammed Imran for<br>M/s.Ajmal Associates |
| For R1 to R3 & R5 | : Mr.C.Jeganathan, Counsel for State              |

### **JUDGMENT**

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

Challenging the cancellation of incentive increment, refixing the pay and the consequential recovery, a batch of writ petitions were filed. The learned Single Judge by a common order dated 29.08.2025, though sustained the cancellation, set aside the recovery. The present appeal is filed by the appellant herein who is one of the petitioners in the said batch, against the order made in W.P(MD)No.18378 of 2025 dated 29.08.2025. It is also stated that as against the said common order, a batch of writ appeals were filed by some of the writ petitioners in W.A(MD)No.2748 of 2025 etc., batch and the Division Bench by a



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common judgment dated 09.01.2026, has quashed both the orders re-fixing the pay of the teachers and the recovery. The relevant passage of the said judgment is as follows:

*"25.As per the above ratio, the proceedings dated 24.08.2016, which is the root cause for all the litigations, became ipso facto, not binding on the petitioner, and the same is illegal. Therefore, this Court is of the firm view that any teacher who acquires a higher qualification in the subjects which are part of the syllabus for the higher secondary classes is entitled for incentive increments as stipulated in G.O.Ms.No. 324 dated 25.04.1995. It is relevant to note that these teachers have received the increment for more than a decade.*

*26. Accordingly, in view of the above detailed discussions, the impugned orders, which are re-fixing the pay, and for recovery is set aside. ...."*

2. The appellant herein who is also placed on the same footing, is also entitled to the same relief. Accordingly, the order impugned in this appeal is set aside and the orders impugned in the writ petition which are re-fixing the pay of the appellant herein and recovery, are set aside.



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3. The Writ Appeal is allowed accordingly. No costs.

Consequently, connected miscellaneous petition is closed.

**[N.S.K., J.] & [M.J.R., J.]**  
**24.06.2026**

Index : Yes / No

Neutral Citation : Ye / No

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To

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**N.SATHISH KUMAR, J.**  
**AND**  
**M.JOTHIRAMAN, J.**

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