



WP(MD). No.18354 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : **09/07/2026**

CORAM

THE HON"BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD). No.18354 of 2026
and WMP(MD)No.13585 of 2026

K.Senthur Pandian

... Petitioner

Vs.

1. State of Tamil Nadu

Represented by its Principal Secretary to the Government,
Department of School Education,
Fort St. George, Chennai – 9.

2. The Director of Elementary Education,
DPI Campus, Chennai - 6.

3. The District Educational Officer (Elementary),
Tenkasi, Tenkasi District.

4. The Block Educational Officer- 2,
Melaneelithanallur Block,
Tenkasi District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No. 152/A3/2026 dated 10.04.2026 on the file of the respondent No.4 and quash the same as illegal and consequently for a direction, directing the respondent No.4 to disburse the retirement benefits in the light of the



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Judgment rendered by the Honble Division Bench in WA(MD) Nos.2748
of 2025 and batch dated 09.01.2026.

For Petitioner : Mr.T.Aswin Raja Simman
For Respondents : Mr.C.Jeganathan
Counsel for Government of Tamil Nadu

ORDER

The petitioner herein was appointed as B.T.Assistant on 13.08.2010 and thereafter he acquired a degree in M.A(Political Science). Accordingly, claiming the same as higher qualification, the petitioner has made a claim for release of incentive increments for acquiring higher qualification and the petitioner was awarded the incentive increments. It was thereafter the petitioner, on attaining the age of superannuation, retired from service and it was at that stage, the incentive incements awarded for having acquired M.A.(Political Science) are withdrawn and accordingly, the pay of the petitioner has been re-fixed vide the proceedings in Na.Ka.No.152/A3/2026 dated 10.04.2026. It is aggrieved by the said proceedings, the petitioner has approached this Court by filing the present writ petition.

2. The only reason assigned in the impugned proceedings for withdrawing the incentive increments that were awarded in the year



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2012, is that M.A.(Political Science) degree, which was obtained by the petitioner and treated as higher qualification, is an irrelevant subject with regard to Primary Education Department.

3. The learned counsel for the petitioner has brought to the notice of this Court that the Hon'ble Division Bench of this Court in WA(MD)No. 2748 of 2025 and batch vide order dated 09.01.2026 has considered the same issue and held 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. Placing reliance on the said decision of the Hon'ble Division Bench, the learned counsel for the petitioner contends that the impugned order cannot be sustained. It is also brought to the notice of this Court that the said decision of the Hon'ble Division Bench was followed by this court in WP (MD)No. 14971 of 2026 vide order dated 17.06.2026.

4. Mr.C.Jegannathan, learned Counsel for Government appearing for the respondents, having verified the orders passed by this Court and



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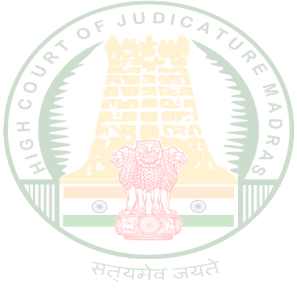
also the higher qualification of M.A.(Political Science) degree obtained by the petitioner, on instructions, submits that M.A.(Political Science) degree is part of the syllabus for higher secondary classes and therefore, the petitioner is entitled for the benefit of the orders passed by the Hon'ble Division Bench.

5. In the light of the above, the impugned proceedings, which was issued solely on the ground that the petitioner has acquired higher qualification in an irrelevant subject, cannot be sustained. Accordingly, the impugned proceedings is hereby quashed and consequently, the respondents are directed to calculate and release all the terminal benefits of the petitioner as expeditiously as possible, at any rate, within a period of eight weeks from the date of receipt of a copy of this order.

6. In fine, this writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

09.07.2026

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