

/IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2015

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THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.34329 of 2015

D.Jesilet Mary

... Petitioner

Vs.

1 The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

2 The Additional Chief Educational Officer (SSA),
Tirunelveli,
Tirunelveli District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to sanction incentive increment for M.Sc.(Maths) degree acquired by the petitioner from the date of appointment to the post of Block Resource Teacher Educator (BRTE) on 25/07/2007 with consequential revision of salary and payment of arrears of salary along with interest by passing appropriate orders on the proposal forwarded by 2nd respondent to the 1st respondent in Na.Ka.No.193/Aa2/Aa.Ka.E/2013 dated 14/03/2013 within a time frame to be fixed by this Honourable Court.

For Petitioner : Mr.G.Sankaran
For Respondents : Mr.S.Gunasekaran
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner would state that she was qualified with B.Sc.(Maths), M.Sc.(Maths) and B.Ed. and was appointed as BT Assistant on 05.10-.1993 in Government Aided School in Fathima Girls Higher Secondary School, Gudalur, The Nilgiris District and her appointment was also approved by the Education Department and her services were also regularised and was granted with selection grade on completion of 10 years of service on 05.10.2003 and was fixed with time scale of pay of Rs.6500 – 200 – 10500. The petitioner was also sanctioned with incentive increment for having acquired M.Sc.(Maths) from the date of appointment as BT Assistant.

3.The petitioner would further state that she appeared for selection to the post of Block Resource Teacher Educator (BRTE) conducted by the Teachers Recruitment Board (TRB) and was selected to the post of BRTE on 25.07.2007 and on selection she was relieved from the post of BT Assistant and she joined the post of BRTE on 25.07.2007 and according to her, the said post is equivalent to BT Assistant cadre. The petitioner in pursuant to the same was fixed with

scale of pay of Rs.6500 – 200 – 10500 which is the basic selection grade pay applicable to the post of BT Assistant and whereas the incentive increment granted for having acquired M.Sc.(Maths) has not been granted and in this regard, the petitioner has submitted a representation dated 05.03.2013 based on which the second respondent has also forwarded a proposal to the first respondent on 14.03.2013 and since no orders have been passed, came forward to file this writ petition.

4.Heard the submissions of Mr.G.Sankaran, the learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents.

5.Though the petitioner prayed for the larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the same, directs the first respondent to act on the proposal of the second respondent made in Na.Ka.No.193/Aa2/AKaE/2013 dated 14.03.2013 and pass orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

M.SATHYANARAYANAN,J.

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6.The writ petition is disposed of accordingly. No costs.

28.10.2015

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Index: Yes / No

Internet: Yes / No

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