

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.19420 of 2015

Tmt.S.Rajeswari

... Petitioner

-Versus-

- 1.The Director of School Education,
College Road, Chennai-6.
- 2.The Chief Educational Officer,
Villupuram.
- 3.The District Educational Officer,
Dindivanam.
- 4.The Secretary,
Sri Sivaprakasam Swamikal
Higher Secondary School,
Mylam,
Dindivanam,
Villupuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Mandamus, directing the respondents to sanction two sets of incentive increment for acquiring M.A., and M.Phil., qualification on the basis of her representations dated 26.12.2011 and 31.08.2012 in the light of the order passed in R.Premakumari v. State of Tamil Nadu , 2008 (5) MLJ 1349.

For petitioner : Mr.S.N.Ravichandran

For Respondents : Mrs.M.E.Rani Selvam, AGP

ORDER

Considering the limited scope of the prayer, by consent, the writ petition itself is taken up for final disposal.

2. The petitioner claims that she had passed B.Lit., (Tamil) in the year 1996 and thereafter, she had passed B.Ed., in the year 1998. She had also registered her name in the roll of the District Employment Exchange. Thereafter, she has passed M.A. (Tamil) in the year 2000 and the same was also registered in the District Employment Exchange. According to her, though she was

eligible to be appointed as B.T. Assistant, she was appointed as Secondary grade Teacher by the 4th respondent on 06.09.2001. It is the further case of the petitioner that though she is having higher qualification, she has not been granted incentive increment as per G.O.No.42 and G.O.No.745. She has also made a representation to the respondent in this regard. The grievance of the petitioner is that her representations dated 26.12.2001 and 31.08.2012 with regard to incentive increment for having acquired higher qualifications have not been considered so far and she has been denied the same on the ground that she did not possess higher qualification on the date of her appointment. Hence, she is now before this court with this writ petition.

3. I have heard the submissions made on either side.

4. Considering the limited cope of the prayer sought for by the petitioner and the fact that the representations made by the petitioner in this regard are pending, without going into the merits of the claim, this court directs the 1st respondent to consider the representations of the petitioner dated 26.12.2011 and 31.08.2012 in the light of the order of this court in R.Premakumari v. State of Tamil Nadu, 2008 (5) MLJ 1349 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kmk

To

- 1.The Director of School Education,
College Road, Chennai-6.
- 2.The Chief Educational Officer, Villupuram.
- 3.The District Educational Officer, Dindivanam.
- 4.The Secretary, Sri Sivaprakasara
Swamigal Higher Secondary
School, Mylam, Dindivanam,
Villupuram District.

+1cc to Mr.S.N. Ravichandran, Advocate, S.R.No.33029
+1cc to the Government Pleader, S.R.No.33337

BVR(CO)
EU(16/07/2015)