

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 11.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.24696/2015

S.Arulandhasamy

...Petitioner

Versus

1. The Director of Elementary Education,
DPI Compound, College Road
Chennai-6.
2. The District Elementary Educational Officer
O/o.The District Elementary
Educational Officer,
Thanjavur District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 1st respondent to sanction the 3rd incentive increments to the petitioner for acquiring M.Phil degree, as per orders of this Court made in WP.No.19715/2014 dated 24.07.2014 by considering the petitioner's representation dated 30.07.2014.

For Petitioner : Mr.V.Ravikumar

For R1 & R2 : Mr.R.Vijayakumar, AGP

सत्यमेव जयते
O R D E R यते

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

2.The petitioner was initially appointed as Secondary Grade Teacher on 28.04.1986 and was promoted as Elementary School Headmaster on 10.06.2002 and got further promotion as Middle School Headmaster on 06.07.2005. The petitioner was posted as Assistant Elementary Educational Officer, on 04.10.2006 and he has acquired B.A., M.A. [Tamil], M.A [History], B.Ed., and Ph.D. and he was also sanctioned with 2 incentive increments. The petitioner having acquired M.Phil [Tamil] during June 2007, made a representation to

sanction the incentive increment for having acquired the said higher qualification and it was returned on 16.05.2014 by the 2nd respondent stating that in the absence of any specific Government Order, the petitioner cannot be granted with the 3rd set of incentive increment. The petitioner, in this regard, has submitted a detailed representation to the 1st respondent on 30.07.2014 to sanction the 3rd incentive increment for acquiring M.Phil [Tamil]. Till date, the petitioner is yet to be favoured with any response. It is the stand of the petitioner that in similar facts and circumstances, this Court, vide order dated 24.07.2014, made in WP.No.19715/2014 [Jinakumar Vs. The Director of School Education, DPI Compound, College Road, Chennai 600 006 and 2 others] has passed an order with a direction directing the 3rd respondent therein to sponsor the name of the petitioner therein for getting the 3rd incentive increment with a further direction to the respondents 1 and 2, viz., the Director of School Education, Chennai and the Chief Educational Officer, Thiruvannamalai, to pass appropriate orders within a stipulated time and in the light of the same, there cannot be any impediment on the part of the 1st respondent to grant the 3rd incentive increment to the petitioner.

3.This Court heard the submissions of the learned counsel for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4.Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances, directs the 1st respondent to consider and dispose of the petitioner's representation dated 30.07.2014 pm merits and in accordance with law, after taking note of the above order passed by this Court in WP.No.19715/2014 dated 24.07.2014 and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

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Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

AP

To

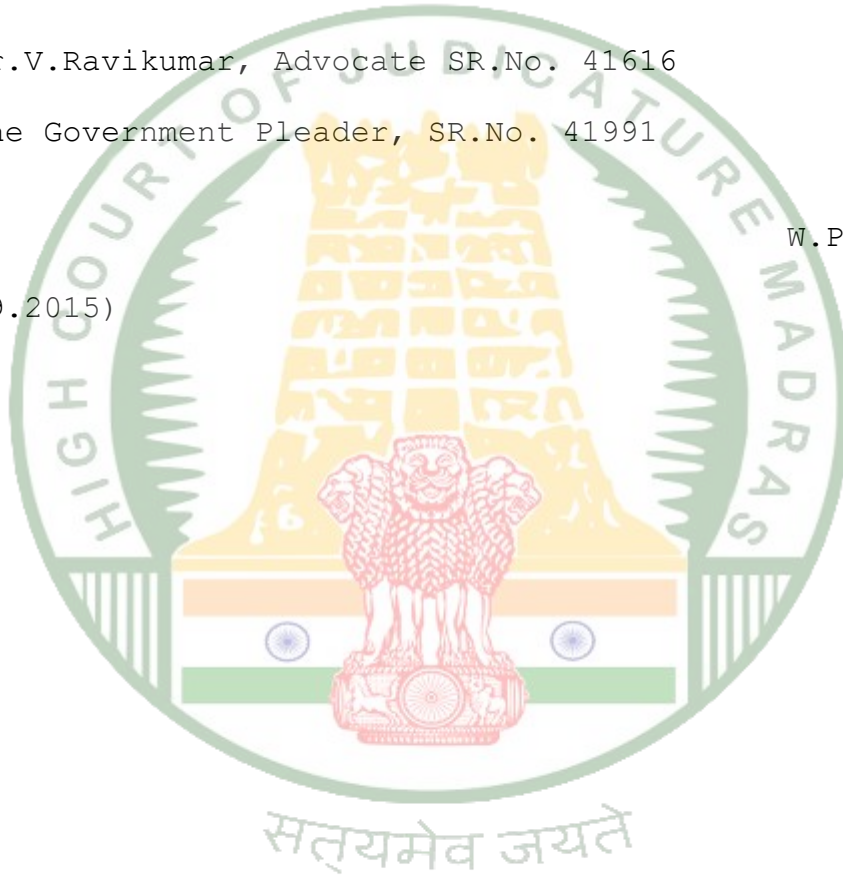
1. The Director of Elementary Education,
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1 CC to Mr.V.Ravikumar, Advocate SR.No. 41616

1 CC to the Government Pleader, SR.No. 41991

LRS (CO)
PSI (02.09.2015)

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