

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 08.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.31960/2015

V.Chendilvel

...Petitioner

Vs

1. The Director of School Education
DPI Campus, College Road, Chennai - 600 006.
 2. The District Elementary Educational Officer,
Kancheepuram, Kancheepuram District.
 3. The Addl. Assistant Elementary Educational Officer,
Acharapakkam Block,
Kancheepuram District
- .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the third respondent to consider petitioner's representation dated 10.01.2015 to sanction the 3rd incentive increment to the petitioner acquiring M.A., degree within a time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.P.Murali
For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

ORDER

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

2 The petitioner was initially appointed as Higher Grade Teacher on 01.02.1969 and on 01.01.1971, got upgradation as Secondary Grade Teacher and worked in various places. The petitioner would state that on 31.12.1986, he got his first incentive increment for acquiring B.Ed., qualification and the 2nd incentive increment on 27.09.1991 for acquiring M.Ed., qualification and he was also promoted as Elementary School Headmaster on 04.07.1994. The petitioner has completed M.A. degree during September 1997 and got his promotion as Middle School Headmaster on 13.06.2003 and promoted as Assistant Elementary Educational Officer on 17.12.2004 and retired from service on attaining the age of superannuation on 31.01.2006.

It is the claim of the petitioner since he is qualified himself with M.A. degree, he should have been sanctioned with the 3rd set of incentive increment in the light of G.O. [2D] No.15, School Education Department, dated 28.03.2013 and since it has not been paid, he has also submitted representation dated 10.01.2015 to the 2nd respondent and since no orders have been passed, he came forward to file this writ petition.

3 Learned counsel for the petitioner would submit that the matter in issue is squarely covered by the order dated 24.07.2014 made in WP.No.19715/2014 [Jinakumar Vs. The Director of School Education, DPI Compound, College Road, Chennai-6 and others] and since the petitioner is similarly placed, appropriate orders may be directed to be passed by the 1st respondent.

4 This Court heard the submissions of Mr.R.Vijayakumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

5 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the 1st respondent to consider and dispose of the petitioner's representation dated 10.01.2015 on merits and in accordance with law 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.

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

-Sd/-

Assistant Registrar

//True copy//

सत्यमेव जयते Sub Assistant Registrar

AP

To

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

2. The District Elementary Educational Officer,
Kancheepuram, Kancheepuram District.

3. The Addl. Assistant Elementary Educational Officer,
Acharapakkam Block, Kancheepuram District.

+1 cc to Mr.P.Murali, Advocate(sr.54842)

+1 cc to GovernmentPleader(sr.55119)

W.P.No.31960/2015

TM(co)

19/10/2015

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