

In the High Court of Judicature at Madras

Dated: 09.10.2015

Coram

The Honourable Mr.JUSTICE M.SATHYANARAYANAN

Writ Petition No.32075 of 2015

K.Chinnathambi

.... Petitioner

Vs.

1. The Director of Elementary Education,
College Road, Nungambakkam, Chennai - 6.
2. The District Elementary Education Officer,
Villupuram, Villupuram District.
3. The Assistant Elementary Education Officer,
Kanai, Villupuram Taluk & District. Respondents

PETITION under Article 226 of The Constitution of India praying for issuance of Writ of Mandamus directing the third respondent to make necessary entries in the Service Register of the petitioner for having passed the M.A. Degree (Tamil) and award all the consequential monetary benefits including incentive increment.

For Petitioner : Mr.K.Thennan

For Respondents : Mr.S.Gunasekaran, G.A.

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner, at present, is working as Elementary School Headmaster at Kanai Panchayat Union, Villupuram District. In order to further qualify himself, he submitted an application praying for permission from the Department of Education to study M.A. Degree (Tamil) through correspondence course conducted by Annamalai University, Chidambaram. He made three attempts on 13.7.2011, 11.10.2011 and 18.11.2011 in this regard, but no orders have been passed. The claim of the petitioner is that as per G.O.Ms.No.200, Personnel and Administrative Reforms Department dated 19.04.1996, if the authorities had failed to grant permission to their employees to study degree within a period of 15 days, it shall be deemed that the Head of the

Officers granted permission for joining the correspondence course or evening college and accordingly, the petitioner has joined the M.A. Degree (Tamil) through correspondence course conducted by the Annamalai University, Chidambaram and has also successfully completed the same. The petitioner has submitted the certificate issued to that effect on 11.04.2014. The petitioner would state that since he has qualified himself with M.A.(Tamil) Degree, he is entitled to get incentive increment and necessary entries have to be made in the service records for having passed M.A. (Tamil) Degree and hence submitted a representation dated 12.06.2015. Since no orders have been passed by the respondents, the petitioner came forward to file the present Writ Petition.

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

4. Though the petitioner has asked 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 second respondent to consider the representation of the petitioner dated 12.06.2015 and pass orders on merits and 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.

The Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

1. The Director of Elementary Education,
College Road, Nungambakkam, Chennai - 6.

2. The District Elementary Education Officer,
Villupuram, Villupuram District.

3. The Assistant Elementary Education Officer,
Kanai, Villupuram Taluk & District.

+1 cc to Mr.K.Thennan, Advocate, sr.55066

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