

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.32346 of 2015

G.Subramanian

... Petitioner

Vs.

1 The Director of School
Education, Chennai-6.

2 The Chief Educational Officer,
Krishnagiri District, Krishnagiri.

3 The District Educational
Officer, Krishnagiri Educational District,
Krishnagiri.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to grant 1 set of 3rd incentive to the petitioner for acquiring M.Ed. by calculating the arrears from the date of his qualification of M.Ed. (i.e) December 1988 in view of the G.O.Ms. No.1023 dated 9.12.1993 (Education, Science & Technology Department) and in view of the order passed by the Division Bench of the Honourable Madurai Bench of Madras High Court in W.A.(MD) No.867 of 2014 dated 18.9.2014 within the time stipulated Honourable Court.

For Petitioner : Mr.N.Sathish Babu

For Respondents : Mr.R.Vijayakumar

Additional Government Pleader

O R D E R

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

2. The petitioner would state that after completing Teacher training, he joined as a Primary Teacher at Panchayat Union Elementary School, Sowalur, Dharmapuri District and the services were regularised on 01.01.1971 and he was awarded selection grade on 31.01.1981 and got his promotion as Tamil Pandit on

31.01.1985 and posted at Government High School, Puliyampatti, Krishnagiri District. The petitioner has not been conferred with any promotion thereafter and continued with the very same cadre for the past 20 years till his retirement and in the interregnum, he has completed B.Lit (Tamil) in the month of September, 1983, B.Ed. in the month of January, 1986, M.A. (Tamil) in the month of May, 1988 and also completed M.Ed., in the month of December, 1988 and in terms of G.O.Ms.No.1023 of Education, Science and Technology Department, dated 09.12.1993, he is entitled to incentive increment for having acquired higher educational qualifications and the petitioner in this regard has also submitted a detailed representation dated 04.09.2015 to the respondents and since no orders have been passed, came forward to file this writ petition.

3.The learned counsel appearing for the petitioner would submit that in similar facts and circumstances, this Court vide common judgment dated 20.06.2006 made in W.A.Nos.2604 to 2606 of 1999 etc batch has passed orders and in compliance of the same, the Education Department has also passed G.O.(1D) No.209, dated 08.07.2010 conferring the benefit of incentive increment to B.Kasikkani and similarly very many orders have been passed on 24.07.2013, 18.09.2014 and 21.08.2015 respectively, in W.P.(MD) No.11802 to 11806 of 2013, W.A.(MD) No.867 of 2014 and W.P.Nos.26040 to 26045 of 2015 and hence, prays for appropriate orders.

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

5.This Court in the light of the above facts and circumstances, directs the second respondent to consider and dispose of the petitioner's representation dated 04.09.2015 on merits and in accordance with law after taking note of the above stated orders passed by this Court as well as the Government order in G.O.Ms.No.1023, Education, Science and Technology Department, dated 09.12.1993 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 (CS-V)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

pri

To

- 1 The Director of School
Education, Chennai-6.
- 2 The Chief Educational Officer,
Krishnagiri District, Krishnagiri.
- 3 The District Educational
Officer, Krishnagiri Educational District,
Krishnagiri.

+1 CC to MR.S.Venkata Subramaniyan Advocate. SR.NO.55860
+1 CC to Govt.Pleader. SR.NO. 56012

W.P.No.32346 of 2015

CO-KM
JD 28/10/2015



WEB COPY