

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.33010 of 2015

Tmt.S.Kalyani

.. Petitioner

Vs.

- 1 The Director of School Education,
Chennai - 600 006
- 2 The Chief Educational Officer,
Kancheepuram, Kancheepuram District.
- 3 The Headmaster,
Government Girls Higher Secondary School,
Chrompet, Chennai - 600 044.

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to sanction incentive increment to the petitioner for M.Ed. qualification and confer all the consequential benefits.

For Petitioner : Mr.P.Ganesan
for C.S.Associates

For Respondents : Mr.S.Gunasekaran
Government Advocate

सतसमेव जयते
O R D E R

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

2. The petitioner has passed "Pulavar Course" which is of five years duration in Tamil during 1973 and also passed B.Litt in the year 1976 and joined as a Tamil Pandit on 21.12.1981 through employment exchange. The petitioner claims that while she was working as Tamil Pandit, had acquired B.Ed in the year 1983 as well as M.A.(Tamil) in the year 1983 for which she was sanctioned with incentive increment for both B.Ed. and M.A. The petitioner also acquired M.Ed. during June, 1991 and the Government has issued G.O.Ms.No.s1023, Education, Science and Technology Department, dated 09.12.1993 stating that the third incentive increment is not permissible to a Teacher and challenging the same, very many writ petitions were filed and ultimately, the orders were passed

directing the award of third incentive increment to the concerned persons provided they acquired qualification before 09.12.1993.

3. The petitioner attained the age of superannuation on 30.01.2009 and thereafter continued to work upto 31.05.2009 on re-employment basis and since she has acquired additional qualification of M.Ed. during June, 1991, that is prior to the cut off date on 09.12.1993, she is entitled to third additional increment and in this regard, has submitted representation to the respondents dated 15.07.2015 and since no orders have been passed, came forward to file this writ petition.

4. The learned counsel appearing for the petitioner would submit that in similar facts and circumstances, this Court has disposed of the W.P.No.18782 of 2008 on 18.08.2008 and prays for similar relief.

5. This Court also heard the submissions of Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents.

6. Though the petitioner prayed for the 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 and dispose of the petitioner's representation dated 15.07.2015 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.

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

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Sd/-

Assistant Registrar (Admn., I)

/True Copy/

सत्यमेव जयते

Sub-Assistant Registrar

To

1 The Director of School Education,
Chennai - 600 006

2 The Chief Educational Officer,
Kancheepuram,
Kancheepuram District.

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3 The Headmaster,
Government Girls Higher Secondary School,
Chrompet, Chennai - 600 044.

+1 C.C. TO M/s.C.S.Associates, in SR.NO.56481

+1 C.C. To Government Pleader in SR.NO.57552

W.P.No.33010 of 2015

TM(CO)
sd : 05/11/2015



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