

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 16.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.33372/2015

P.Padmanaban

.. Petitioner

Versus

- 1.The Director of School Education,
DPI Campus, College Road,
Chennai 600 006.
- 2.The District Elementary Educational
Officer, Thiruvannamalai,
Thiruvannamalai District.
- 3.The Assistant Elementary Educational
Officer, West Arni Block,
Thiruvannamalai District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of mandamus directing the respondent to consider the petitioner representation dated 10.01.2015 in the light of WA [MD] No.867/2014 and sanction the 3rd incentive increment to the petitioner acquiring M.Ed. Degree within a time frame to be fixed by this Court.

For Petitioner : Mr.P.Murali

For R1 to R3 : Mr.V.Subbiah, Spl.GP

ORDER

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

2 The petitioner claims that after getting appointment as Higher Grade Teacher, he got upgradation as Secondary Grade Teacher and was working in various places and

got incentive increment for his B.Ed., M.A., qualifications and subsequently, he completed M.Ed., during May 1992 and was promoted as Tamil Pandit on 12.07.1997 and got further promotion as Middle School Headmaster on 27.12.2004 and retired as Middle School Headmaster on 30.09.2007. The grievance expressed by the petitioner is that though he is entitled for the 3rd incentive increment as per G.O [2D] No.15, School Education Department, dated 28.03.2013, it has not been given so far and the cut-off date prescribed in this regard, has been subjected to challenge and the Madurai Bench of this Court, vide judgment dated 27.06.2008, made in WA [MD] No.426/2008, has held that the third set of advance increment to P.G.Assistant cannot be denied. The petitioner, in this regard, has also submitted a representation dated 10.01.2015 to the respondents 1 and 2 through proper channel and since no orders have been passed, the petitioner came forward to file this writ petition.

3 This Court heard the submissions of the learned counsel for the petitioner and Mr.V.Subbiah, learned Special 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 respondents 1 and 2 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 ten 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.

sd/

ASSISTANT REGISTRAR (CS-III)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

AP

To

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

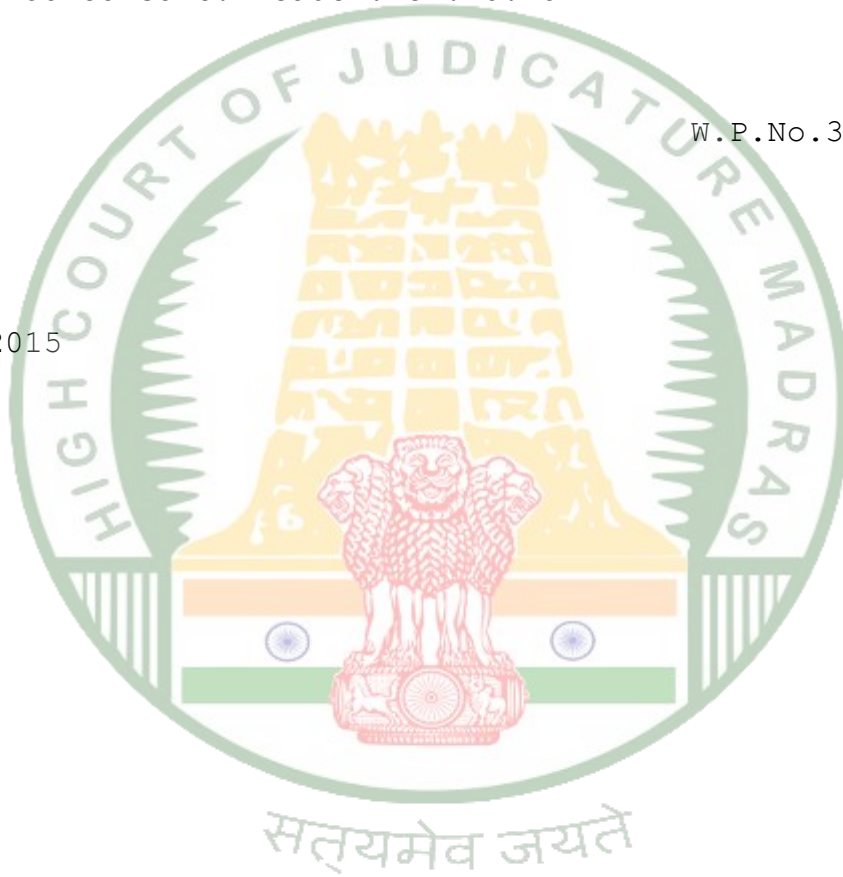
2.The District Elementary Educational
Officer, Thiruvannamalai,
Thiruvannamalai District.

3.The Assistant Elementary Educational
Officer, West Arni Block,
Thiruvannamalai District.

+1 CC to MR. P.Murali Advocate. SR.NO. 57306
+1 CC to Govt.Pleader. SR.NO. 57714

W.P.No.33372/2015

CO-VGI
JD 30/10/2015



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