

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.11.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.36519 of 2015

N.Thiyagarajan

... Petitioner

- Vs -

1.The State of Tamil Nadu
Represented by its Secretary to Government,
Education Department,
Fort St.George,
Chennai-9.

2. The Director of Elementary Education,
College Road,
Chennai.

3.The District Elementary Education Officer,
Cuddalore District,
Cuddalore.

4. The Principal Accountant General of Tamil Nadu,
Teynampet,
Chennai-18.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the second respondent to dispose the appeal dated 01.10.2015 for incentive increment for acquiring higher qualification as per G.O.Ms.No.42, Education dated 10.01.1969 and in the light of the Judgments made in W.P.No.7381 of 2007 dated 13.10.2014 and W.A.(MD) No.529 of 2007 dated 14.05.2008.

For Petitioner : Ms.K.Jenitha

For Respondents 1 to 4 : Mr.V.Jayaprakash Narayanan
Special Government Pleader

For Respondent No.5 : Mr.V.Vijay Shankar

O R D E R

This Writ Petition has been filed seeking for a direction to the second respondent to dispose the appeal dated 01.10.2015 for incentive increment for acquiring higher qualification as per G.O.Ms.No.42, Education dated 10.01.1969 and in the light of the Judgments made in W.P.No.7381 of 2007 dated 13.10.2014 and W.A.(MD) No.529 of 2007 dated 14.05.2008.

2. Heard the submissions of Mr.K.Jenitha, learned counsel for the petitioner, Mr.V.Jayaprakash Narayanan, learned Special Government Pleader who accepts notice on behalf of the respondents 1 to 4 and Mr.Vijay Shankar who accepts notice on behalf of the fifth respondent.

3. It is represented by the learned counsel for the petitioner that aggrieved by the order of the third respondent, the petitioner has preferred an appeal before the second respondent on 01.10.2015, which is not yet disposed of. Hence, the present Writ Petition has been filed.

4. Though the relief sought for in this Writ Petition is for a larger relief, this Court on consideration of facts and circumstances of the case, directs the second respondent to dispose of the appeal, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

arr
To

1.The Secretary to Government,
Education Department, The State of Tamil Nadu
Fort St.George, Chennai-9.

2. The Director of Elementary Education,
College Road, Chennai.

3.The District Elementary Education Officer,
Cuddalore District, Cuddalore.

4. The Principal Accountant General of Tamil Nadu,
Teynampet, Chennai-18.

+1 cc to Mr.Jenitha, Advocate, sr.63762

+1 cc to Government Pleader, sr.63776

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mg co
kra 11.12.2015