

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.9998 of 2015

The Graduate Physical Education Teachers Association,
No.5/13, Anandan Street,
Chidambaram 608 001,
Cuddalore District
Rep by its State President
R.Jayadevan

...Petitioner

-vs-

1 The State of Tamil Nadu
Rep by its Principal Secretary to Government
School Education Department, Secretariat
Fort St.George Chennai 600 009.

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

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, directing the 1st Respondent to pass appropriate clarificatory order with reference to eligible degree for sanctioning incentive increment for Graduate Physical Education Teachers working in School Education Subordinate Services clarifying G.O.Ms.No.324 Education, Science and Technology Department (E2) dated 25.04.1995 as it is done for B.T.Graduate Assistant in G.O.(1D)18, School Education Department dated 18.01.2013, by considering the representation submitted by the Petitioner Association dated 03.02.2015 within a time frame to be fixed by this Honourable Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.K.Rajendra Prasad
Government Advocate

O R D E R

The petitioner is the Graduate Physical Education Teachers Association.

2. The Government issued G.O.Ms.No.324 Education Science and Technology Department, dated 25.04.1995 granting incentive increment to Physical Education Teachers for acquiring higher qualification in the area of Physical Education. As per the said Government Order, Physical Education Teachers are granted incentive increments on par with BT Assistants for acquiring PG qualification in Physical Education.

3. While so, the BT Assistants are given incentive increments for acquiring M.Phil/Ph.D., vide G.O.(1D) No.18 School Education Department, dated 18.01.2013.

4. According the petitioner Association, Graduate Physical Education teachers were also granted incentive increment for acquiring M.Phil/Ph.D.,/P.G.Diploma in Yoga based on G.O.Ms.No.324 dated 25.04.1995 referred to above. However, Audit Department raised objection for granting incentive increments for acquiring M.Phil/Ph.D.,/P.G.Diploma in Yoga. Hence, the petitioner Association made a representation dated 03.02.2015 to the first respondent to pass appropriate orders clarifying the eligibility of Graduate Physical Education Teacher for incentive increments for acquiring M.Phil/Ph.D.,/P.G.Diploma in Yoga as it was done in the case of BT Assistant in G.O.(1D) No.18 School Education Department, dated 18.01.2013.

5. In view of the limited prayer made, the first respondent is directed to consider and pass orders on the representation submitted by the petitioner Association, dated 03.02.2015 on merits and also taking into account the aforesaid facts, within a period of 12 weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

svki

To

1 The Principal Secretary to Government
School Education Department, Secretariat
Fort St.George Chennai 600 009.

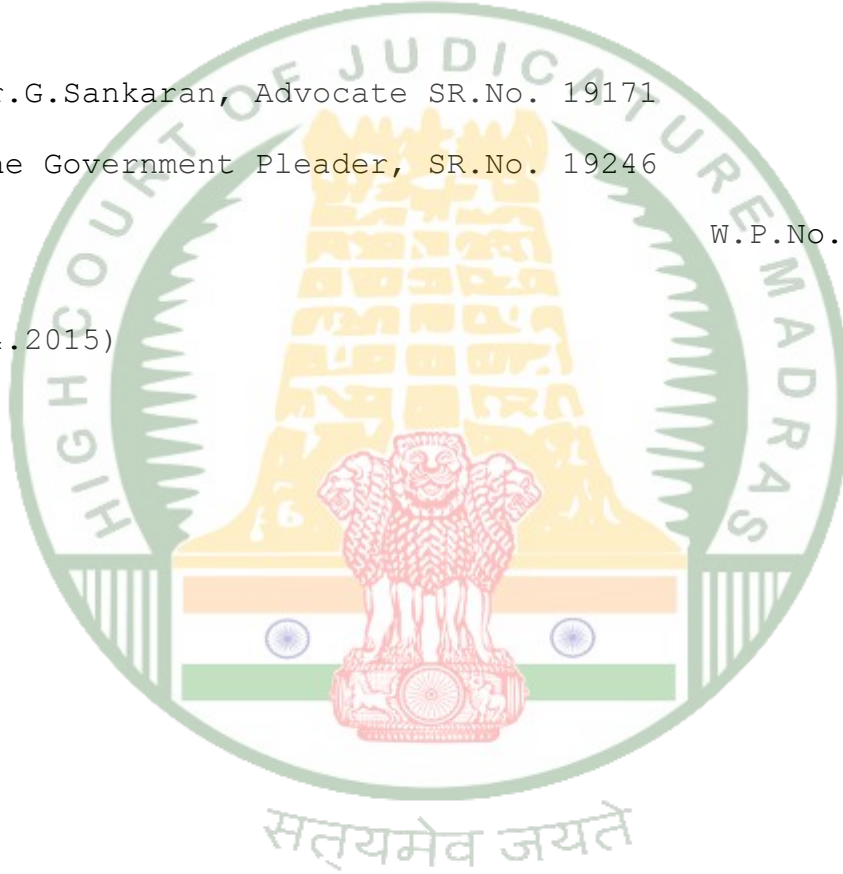
2 The Director of School Education
DPI Campus, College Road
Chennai 600 006.

1 CC to Mr.G.Sankaran, Advocate SR.No. 19171

1 CC to the Government Pleader, SR.No. 19246

W.P.No. 9998 of 2015

ALA (CO)
PSI (22.04.2015)



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