



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 27/4/2015

C O R A M

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

WEB COPY

Writ Petition (MD) No.6834 of 2015

M.Jeyaraj ... Petitioner

Vs

1.The Secretary to Government,
School Education, Fort St.George,
Chennai - 600 009.

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

3.The Chief Educational Officer,
Tirunelveli District, Tirunelveli.

4.The Headmaster,
Government Higher Secondary School,
North Chezhanalloor,
Tirunelveli District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the respondents to sanction and pay the incentive increments to the petitioner for possessing M.Phil degree with effect from 21.06.2008, with interest.

For Petitioner	...	Mr.C.Rajakumar
For Respondents	...	Mr.V.Muruganandam AGP

O R D E R

This Writ Petition has been filed, praying for issuance of a Writ of Mandamus, to direct the respondents to sanction and pay the incentive increments to the petitioner for possession M.Phil degree with effect from 21.06.2008, with interest.

2. By consent of both parties, the writ petition itself is taken up for final disposal.

3. Mr.V.Muruganandam, the learned Additional Government Advocate General, appearing for the respondents submitted that factual aspects have to be considered by the Authorities and only then, it can be decided whether the petitioner is entitled to the incentive



increments from the date of possession, as stated by the petitioner and submitted that the authority may be directed to consider the representation of the petitioner.

4. The prayer sought for by the petitioner, directing the respondents to sanction and pay the incentive increments for possession M.Phil Degree, with effect from 21.06.2008, cannot be granted by this Court, as there is a factual dispute in this matter.

5. Taking note of the submission of both parties, without granting the prayer as such, I direct the respondents to consider the representation of the petitioner, dated 10.02.2015 and pass appropriate orders, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order, after affording the Petitioner an opportunity of being heard. If on a specified date the Petitioner does not appear for personal hearing, orders may be passed on merits based on the available records after recording the absence of the party/Parties.

5. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

mpk.

To

1. The Secretary to Government,
School Education, Fort St. George, Chennai - 600 009.

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

3. The Chief Educational Officer,
Tirunelveli District, Tirunelveli.

4. The Headmaster,
Government Higher Secondary School,
North Chezhanalloor,
Tirunelveli District.

+1cc to Mr.C.Raj Kumar, Advocate in Sr NO.23339

W.P. (MD) No.6834 of 2015
27/4/2015