

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2016

CORAM:

THE HONOURABLE Mr. JUSTICE T.RAJA

W.P. No.15069 of 2016

Tamil Nadu Physical Education
Teacher Directors Welfare Association,
rep. by General Secretary R.Baskar .. Petitioner

-vs-

1.Government of Tamil Nadu rep. by
Principal Secretary to Government,
School Education Department,
Fort St. George,
Chennai-600 009.

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

Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the first respondent to pass orders on the proposal sent by the second respondent in Na.Ka.No.0436697/K/E/1/2015 dated .. 10.2015 regarding the grant of incentive increment for Physical Education Teacher and Physical Director Grade II and Physical Director Grade-I, within the outer time limit which may be prescribed by this Court.

For petitioner : Mr.R.Saseetharan

For respondents : Mr.R.Vijayakumar,
Additional Government Pleader

ORDER

This writ petition has been filed by the petitioner, seeking a direction to the first respondent to pass orders on the proposal sent by the second respondent in Na.Ka.No.0436697/K/E/1/2015 regarding the grant of incentive increment for Physical Education Teacher, Physical Director Grade II and Physical Director Grade-I, within the stipulated time as may be fixed by this Court.

2.The grievance of the petitioner Association is that when the Government of Tamil Nadu grants incentive increment for all teaching staff such as Secondary Grade Teachers, Primary School Headmasters, Middle School Headmasters, B.T. Assistants, P.G. Assistants, Headmasters Higher Secondary School and Vocational Instructors, the respondents cannot discriminate the Physical Education Teacher, Physical Director Grade II and Physical Director Grade-I in the matter of incentive increment and the respondents have to treat equally the aforementioned persons as that of other teaching staff. The Director of School Education/the second respondent herein has sent a proposal to the Government of Tamil Nadu/the first respondent herein for issuing necessary Government Orders. But no orders have been passed till date. In this regard, the petitioner's Association made a representation on 03.01.2016 to the respondents to grant incentive increment for the aforementioned persons. As no order has been passed till date, the petitioner Association is before this Court.

3.Learned counsel appearing for the petitioner sought for a direction to the first respondent to consider and pass appropriate orders on the basis of the recommendation made by the second respondent.

4.Heard the learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader, who takes notice on behalf of the respondents, sought time to consider the proposal sent by the second respondent to the first respondent.

5.Since a proposal has already been made by the Director of School Education/the second respondent herein to the Government of Tamil Nadu/the first respondent herein, this Court has no hesitation to consider the case of the petitioner. Therefore, the first respondent is directed to consider the proposal sent by the second respondent and pass appropriate orders, on merits and in accordance with law, within a period of ten weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

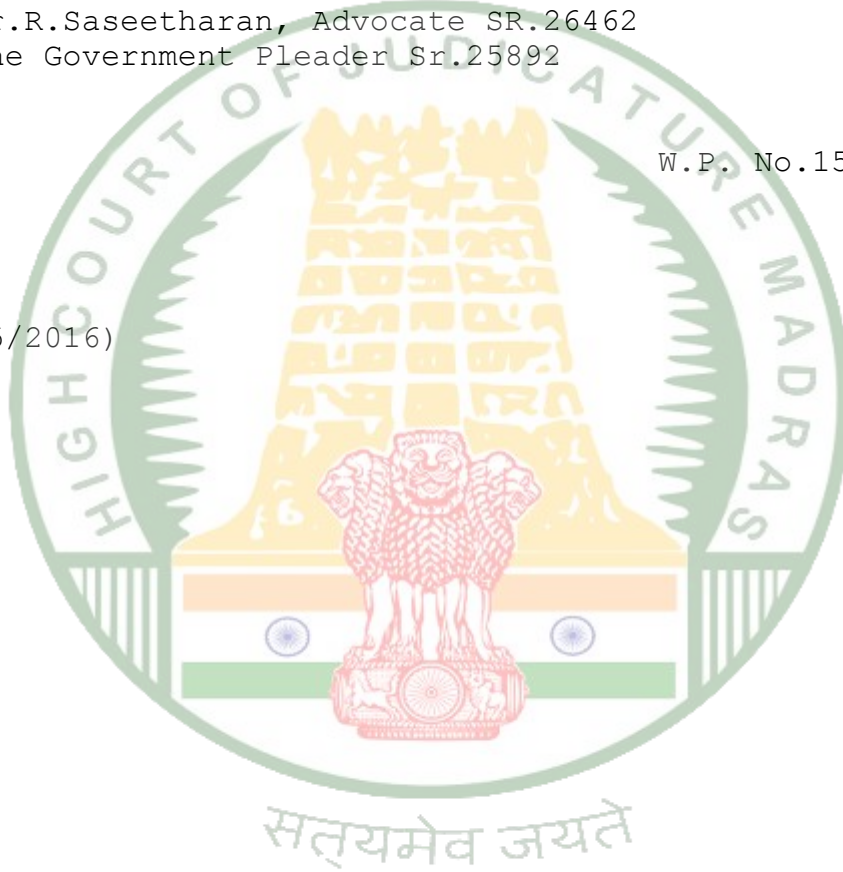
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+lcc to Mr.R.Saseetharan, Advocate SR.26462
+lcc to the Government Pleader Sr.25892

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svi(CO)
srg(/23/05/2016)



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