

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.42464 of 2016

N.Saraswathy

.. Petitioner

Vs

- 1 The Director of School
Education DPI Campus College Road Chennai-
600 006.
- 2 The District Educational
Officer NO.306 3rd Floor District
Collectorate Salem-636 002 Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the Respondents to sanction eligible incentive and increments to the petitioner for acquiring higher qualification of M.Sc. (Maths) and M.Ed. Degrees as per G.O.Ms.No.42, Education Department dated 10.1.1969 read with G.O.Ms. No.1024, Education, Science and Technology Department dated 9.12.1993 with all monetary benefits from the date of acquiring the respective higher qualifications and to disburse the same to the petitioner by considering her written representation 23.12.2014 followed by reminder dated 11.11.2016 within a reasonable time to be fixed by this Court.

For Petitioner : Mr.R.Neelakandan

For Respondents : Mr.V.Anandhamoorthy,
Addl. Govt. Pleader (Edn.)

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents to sanction eligible incentive and increments to her for acquiring higher qualification of M.Sc. (Maths) and M.Ed. Degrees as per G.O.Ms.No.42, Education Department dated 10.1.1969 read with G.O.Ms. No.1024, Education,

Science and Technology Department dated 9.12.1993 with all monetary benefits from the date of acquiring the respective higher qualifications and to disburse the same to her by considering her written representation dated 23.12.2014 followed by reminder dated 11.11.2016 within a reasonable time to be fixed by this Court.

3. It is the case of the petitioner that she was appointed as Secondary Grade Teacher on 17.9.1993. During her appointment as Secondary Grade Teacher, she was a graduate in B.Sc. (Maths) along with B.Ed. degree. Later, she acquired higher qualification of M.Ed (Maths) during 1993; M.Sc. (Maths) during 1998. She has also acquired M.Phil degree during her service. As per G.O.Ms.No.42, Education Department dated 10.1.1969 read with G.O.Ms. No.1024, Education, Science and Technology Department dated 9.12.1993, she is entitled for incentive and increments. Hence, after acquiring higher qualifications, she made several representations to the respondents seeking incentives / increments. Since the same was not considered so far, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader (Education), who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioner, this Court directs the petitioner to give a copy of the representation dated 11.11.2016 along with a copy of this order to the second respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the second respondent is directed to consider the said representation seeking incentive and increments for acquiring higher qualification of M.Sc. (Maths) and M.Ed. Degrees and pass appropriate orders, on merits and in accordance with law and also in the light of G.O.Ms.No.42, Education Department dated 10.1.1969 read with G.O.Ms. No.1024, Education, Science and Technology Department dated 9.12.1993, within a period of six weeks thereafter. The writ petition is disposed of accordingly. No costs.

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-sd/-
Assistant Registrar
/ TRUE COPY /

Sub-Assistant Registrar

sbi

To

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

2 The District Educational
Officer NO.306 3rd Floor District
Collectorate Salem-636 002

+1 cc to M/S.R.NEELAKANDAN Advocate SR.NO. 71480

+1 cc to Government Pleader SR.NO. 71682.

W.P.No. 42464 of 2016

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RD 02/01/2017



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