

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2016

CORAM

THE HONOURABLE MR.JUSTICE M.DURAIWAMY

WP.No.5375 to 5378 of 2016

A.Chinnammal,
D/o. (late) G.Angamuthu .. Petitioner in W.P.No.5375 of 2016

D.Radhakrishnan
S/o. (Late) R.Duraisamy .. Petitioner in W.P.No.5376 of 2016

G.Suseela,
D/o. (Late) P.Govindarajan .. Petitioner in W.P.No.5377 of 2016

G.Palanisamy,
S/o. (Late) Govindhan .. Petitioner in W.P.No.5378 of 2016

Versus

1. The Director of School Education,
Chennai - 600 006.
2. The Chief Educational Officer,
Dharmapuri District,
Dharmapuri. .. Respondents 1 & 2 in W.P.Nos.
5375 to 5378
of 2016
3. The Chief Educational Officer,
(SSA Scheme),
Dharmapuri District,
Dharmapuri. ..Respondent No.3 in W.P.No.
5376 of
2016
4. The District Educational Officer,
Dharmapuri Educational District,
Dharmapuri. .. Respondent no.3 in W.P.Nos.
5375,5377 & 5378 of 2016
and Respondent no.4 in
W.P.No. 5376 of 2016

Prayer in W.P.No.5375 of 2016

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to grant one set of 3rd incentive increment to the petitioner for acquiring M.Ed by calculating the arrears from the date of her qualification of M.Ed (i.e.) May, 1995, in view of the G.O.Ms.No.1023 dated 09.12.1993 (Education, Science & Technology Department) and in view of the order passed by the Division Bench of the Hon'ble Madurai Bench of Madras High Court in W.A.(MD).No.867 of 2014 dated 18.09.2014, within the time stipulated by this Hon'ble Court.

Prayer in W.P.No.5376 of 2016

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to grant one set of 3rd incentive increment to the petitioner for acquiring M.Ed by calculating the arrears from the date of his qualification of M.Ed (i.e.) January, 1985, in view of the G.O.Ms.No.1023 dated 09.12.1993 (Education, Science & Technology Department) and in view of the order passed by the Division Bench of the Hon'ble Madurai Bench of Madras High Court in W.A.(MD).No.867 of 2014 dated 18.09.2014, within the time stipulated by this Hon'ble Court.

Prayer in W.P.No.5377 of 2016

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to grant one set of 3rd incentive increment to the petitioner for acquiring M.Ed by calculating the arrears from the date of her qualification of M.Ed (i.e.) May, 1995, in view of the G.O.Ms.No.1023 dated 09.12.1993 (Education, Science & Technology Department) and in view of the order passed by the Division Bench of the Hon'ble Madurai Bench of Madras High Court in W.A.(MD).No.867 of 2014 dated 18.09.2014, within the time stipulated by this Hon'ble Court.

Prayer in W.P.No.5378 of 2016

Writ petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to grant one set of 3rd incentive increment to the petitioner for acquiring M.Ed by calculating the arrears from the date of his qualification of M.Ed (i.e.) May, 1998, in view of the G.O.Ms.No.1023 dated 09.12.1993 (Education, Science & Technology Department) and in view of the order passed by the Division Bench of the Hon'ble Madurai Bench of Madras High Court in W.A.(MD).No.867 of 2014 dated 18.09.2014, within the time stipulated by this Hon'ble Court.

For Petitioner in all W.Ps : Mr. N.Sathish Babu

For Respondents in all W.Ps : Mr.S.Gunasekaran,
Government Advocate

ORDER

The petitioners have filed the above Writ Petitions to issue Writ of Mandamus to direct the respondents to grant one set of third incentive increment to the petitioner for acquiring M.Ed by calculating the arrears from the date of their qualification of M.Ed (i.e.) May 1995, January 1985, May 1995 and May 1998 respectively in view of the G.O.Ms.No.1023 dated 09.12.1993 (Education, Science and Technology Department and in view of the order passed by the Division Bench of the Hon'ble Madurai Bench of the Madras High Court in W.A.(MD) No.867 of 2014 dated 18.09.2014, within the stipulated time.

2. The learned counsel appearing for the petitioners submitted that in similar circumstances, this Court in W.P.Nos.26040 to 26045 of 2015 dated 21.08.2015 taking into consideration the judgment of the Division Bench of this Court made in Writ Appeal in W.A.(MD).No.867 of 2014, dated 18.09.2014, directed the first respondent therein to consider and dispose of the petitioner's representation on merits and in accordance with law, after taking note of the order in G.O.Ms.No.1023 (Education, Science and Technology Department), dated 09.12.1993 as well as the order passed in the Writ Appeal within a period of ten weeks from the date of receipt of a copy of the order.

3. Mr. S.Gunasekaran, the learned Government Advocate taking notice for the respondents submitted that the respondents may be directed to consider the petitioners' representation dated 30.11.2015.

4. The learned counsel appearing for the petitioners submitted that the respondents have not considered the petitioners' representation dated 30.11.2015 so far.

5. Having regard to the submissions made by the learned counsels on either side, following the order passed in W.P.Nos.26040 to 26045 of 2015 dated 21.08.2015, I direct the first respondent to consider and dispose of the petitioners' representation dated 30.11.2015 on merits and in accordance with law, after taking note of the order in G.O.Ms.No.1023 (Education, Science and Technology Department) dated 09.12.1993 as well as the judgment passed in the Writ Appeal in W.A(MD).No.867 of 2014 within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioners.

6. With this observation, the Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The Director of School Education,
Chennai - 600 006.
2. The Chief Educational Officer,
Dharmapuri District,
Dharmapuri.
3. The Chief Educational Officer,
(SSA Scheme),
Dharmapuri District,
Dharmapuri.
4. The District Educational Officer,
Dharmapuri Educational District,
Dharmapuri.

+4ccs to Mr.S. Venkatsubramaniam, Advocate, S.R.No.9345,
9342, 9343, 9344
+1cc to the Government Pleader, S.R.No.9379

CNR(CO)
EU(23/02/2016)

W.P.No.5375 to 5378
of 2016