

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

W.P.No.49911 of *2006

K.Sattanathan

...Petitioner

..Vs..

1.The Director of School Education,
Chennai - 6.

2.The District Educational Officer,
Chennai (Central) Chennai - 15.

3.The Secretary,
Rajah Muthiah Higher Secondary School,
Raja Annamalaipuram,
Chennai - 600 028.

...Respondents

Prayer: : Writ petition filed under Article 226 of the Constitution of India to issue a Writ or order or Direction more fully in the nature of a Writ of Mandamus to direct the respondents to sanction one set of incentive increment to the petitioner for M.Phil. Degree as per G.O.Ms.No.194, School Education Department, dated *10.10.2006.

For petitioner : Mr.P.Ganesan

For Respondents : Mr.P.Sanjay Gandhi, AGP

ORDER

The prayer in the Writ Petition is for issuance of a Writ of Mandamus to direct the respondents to sanction one set of incentive increment to the petitioner for M.Phil. Degree as per G.O.Ms.No.194, School Education Department, dated *10.10.2006.

2. The petitioner started his career as Grade 1 Tamil Pandit in the year 1970. Thereafter, he acquired a qualification including M.A in May 1979 and he acquired a M.Ed degree in December 1989 and ultimately he acquired a qualification of M.Phil degree in August 1994. The petitioner subsequently acquired is entitled for incentive increment which he has also received for earlier occasions for other qualifications except M.Phil.

3. Though the acquired a qualification of M.Phil in the year 1994, the respondents even after G.O.No.194 dated 10.10.2006 which enabling the petitioner to acquire incentive increment for acquiring such qualification, has not come forward to extend the benefit of incentive qualification to the petitioner.

4. In this regard, the petitioner had also submitted a representation on 20.11.2006 to the second respondent through the third respondent inspite of the representation having been sent and the same is pending. All along no orders have been passed and no relief was sought for. Hence, he has come out with this Writ Petition.

5. Heard both sides.

6. Though such a larger relief was sought for in the Writ Petition, the learned counsel appearing for the petitioner would contend that the petitioner would be satisfied, if the direction to issue to the respondent to consider the request of the petitioner dated 20.11.2006 and decided the same on merits and in accordance with law within a framed that may be fixed by this Court.

7. Considering the said submission, this Court is inclined to give a direction to the second respondent to consider and decide the request of the petitioner for incentive increment for his acquiring qualification of M.Phil., as he claimed through his representation dated 20.11.2006 on merits and in accordance with law and pass an orders within a period of two months from the date of receipt of a copy of this order.

8. With this above observation, the Writ Petition is disposed of. No costs.

sd/-

Asst.Registrar (CS V)

***Corrected order to be issued**

sd/-

Sub Assistant Registrar

dt.19.1.17

/true copy/

Sub Asst. Registrar

To

1.The Director of School Education,
Chennai - 6.

***To be substituted order
already despatched on
04.1.17**

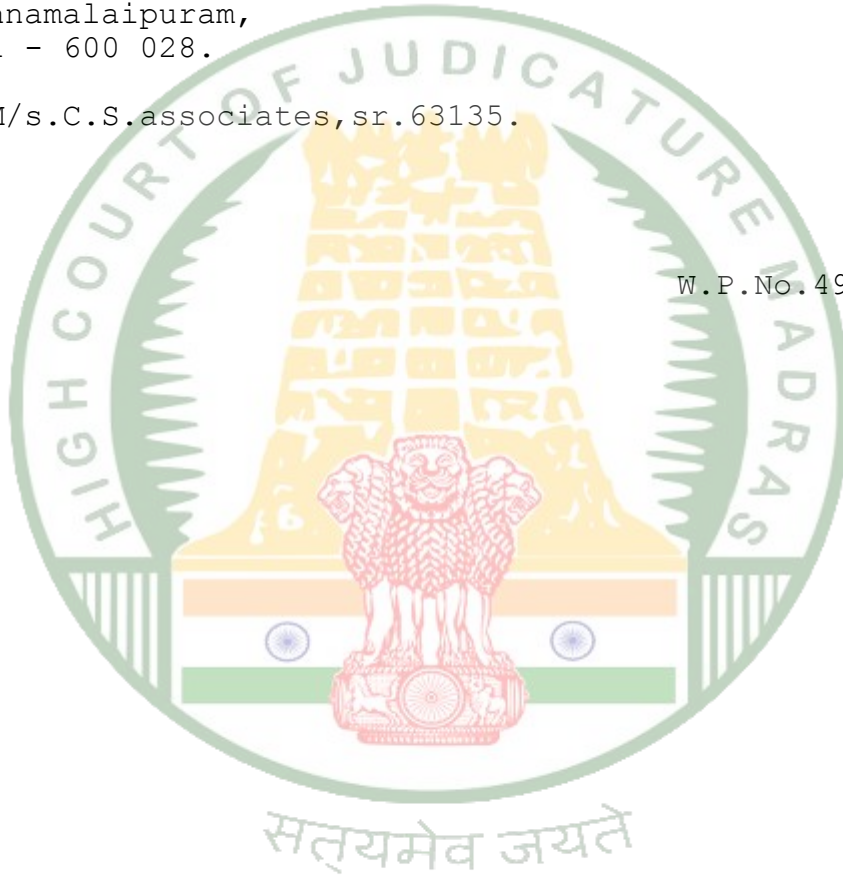
2.The District Educational Officer,
Chennai (Central) Chennai - 15.

3.The Secretary,
Rajah Muthiah Higher Secondary School,
Raja Annamalaipuram,
Chennai - 600 028.

+1 cc to M/s.C.S.associates,sr.63135.

ssi(co)
krd 19/12
krd 23/1

W.P.No.49911 of 2006



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