



WEB COPY

1

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P(MD) No.17997 of 2016

Tamilnadu Post Graduate Teachers Association
Represented by the President,
Mr.K.P.O.Suresh,
No.6, Kakkathopu Street,
Madurai District.

... Petitioner

-vs-

1. The Secretary to Government,
Educational Department,
St.George Fort, Chepauk,
Chennai-600 009.
2. The Director of School Education,
DPI Campus, College Road,
Chennai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus to directing the respondents to consider the representation of the petitioner dated 04.08.2016 in the light of the recommendation made by the 2nd respondent by its proceedings No:Na Ka No.34155/K/E1/2011 dated.20.05.2011.

For Petitioner : Mr.M.O.Thevan Kumar

For Respondents : Mr.M.Alagudevan
Spl. Govt. Pleader

ORDER

The writ petition has been filed, seeking to direct the respondents to consider the representation of the petitioner dated 04.08.2016 in the light of the recommendation made by the 2nd respondent by its proceedings No:Na Ka No.34155/K/E1/2011 dated.20.05.2011.

2. Heard the learned counsel on either side.

3. The case of the petitioner Association (hereinafter referred to as "the Association") is that it was a registered Association bearing Reg.No.10 of 1978 and it was formed with an object of uplifting the welfare of the members of the



Association; that the Post Graduate teachers, who obtained degree in M.Ed / M.Phil / Ph.D / PGDTE were entitled to incentive increment; that as per G.O.Ms.No.1170 dated 20.12.1993, they are entitled to maximum two incentive increments; that the distance education for the above said courses has been completely stopped and therefore, the teachers have no opportunity to obtain the degree by distance education; that in an identical circumstance, the B.T.Assistant Teachers, by G.O.Ms.No.18/2013 dated 18.01.2013, were given the right of getting first incentive increment for the first post graduation degree, such as M.A. or M.Sc. and for the second incentive increments, instead of M.Ed., any one of the above said degrees are sufficient and the same principle is applicable to the Tamil Nadu Post Graduate Teachers also; that the Association made several representations to the respondent for additional increments, on the basis of which, the 2nd respondent has recommended for the same to the 1st respondent by proceedings No:Na Ka No.34155/K/E1/2011 dated.20.05.2011; that though the Chief Educational Officer called for details of the beneficiary for getting two incentive increments in the month of October, 2014, thereafter, no steps were taken to award increments, nor the representation of the Association was considered and therefore, finding no other alternative, the petitioner Association is before this Court.

4. Learned Special Government Pleader appearing for the respondents would submit that the respondents are agreeable to consider the representation of the petitioner dated 04.08.2016 and to pass orders on the same within a reasonable time frame.

5. Under such circumstances, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the representation dated 04.08.2016 of the petitioner in the light of the recommendation made by the 2nd respondent by proceedings No:Na Ka No.34155/K/E1/2011 dated 20.05.2011 and to pass appropriate orders thereon within a period of four weeks from the date of receipt of a copy of this order. No costs.

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

Sd/-

Assistant Registrar(AE)

/True Copy/



To:

1. The Secretary to Government,
Educational Department,
St.George Fort, Chepauk,
Chennai-600 009.
2. The Director of School Education,
DPI Campus, College Road,
Chennai.

+1cc to Mr.O.Thevankumar, Advocate in SR No.55887

W.P (MD) No.17997 of 2016
26.09.2016

ar
anr/ck/14.12.2016/3p/4c