



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.11.2016
CORAM :
THE HONOURABLE DR.JUSTICE S.VIMALA

WEB COPY

W.P(MD)No.21414 of 2016
and
W.M.P(MD)No.15299 of 2016

D.Kalaivani

... Petitioner

vs.

1)The Chief Educational Officer,
Virudhunagar District,
Virudhunagar.

2)The District Educational Officer,
Virudhunagar District,
Virudhunagar.

3)Kalaimagal Higher Secondary School,
Rep. by its Secretary,
P.K.Ganesan,
91-A, Nadar Nandhavana Street,
Thiruthangal-626 130,
Virudhunagar District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 3rd respondent to resubmit the proposal dated 28.09.2016 to the 2nd respondent and further directing the 2nd respondent to grant approval for sanctioning and paying incentive increments to the petitioner for acquiring higher qualification i.e., B.Sc., B.Ed., degree within the time limit that may be fixed by this Hon'ble Court.

For Petitioner : Mr.A.Rahul
For R1 & R2 : Mr.M.Murugan, Government Advocate
For R3 : No appearance

ORDER

This Writ of Mandamus has been filed for a direction to the 3rd respondent to resubmit the proposal dated 28.09.2016 to the 2nd respondent and for a further direction to the 2nd respondent to grant approval for sanctioning and to pay incentive increments to the petitioner for acquiring higher qualification i.e., B.Sc., B.Ed., degree within the time limit that may be fixed by this Court.



2.The learned counsel for the petitioner would bring to the notice of this Court that the proposal submitted by the 3rd respondent has been returned on the ground that the petitioner did not obtain prior permission for pursuing B.Ed degree. This return made is obviously incorrect, in view of the fact that already permission has been obtained and the proceedings granting permission have also been enclosed along with the proposal.

3.Under such circumstances, the order passed returning the proposal of the 3rd respondent is incorrect. Therefore, the 3rd respondent is hereby directed to resubmit the proposal to the 2nd respondent forthwith, indicating that already permission has been obtained by the petitioner for pursuing B.Ed degree and that on receipt of such proposal, the 2nd respondent shall grant approval to the incentive increment within a period of two weeks from the date of receipt of the proposal.

With the above directions, this Writ Petition is disposed of. No costs. Consequently, W.M.P(MD)No.15299 of 2016 is closed.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

To

1)The Chief Educational Officer,
Virudhunagar District, Virudhunagar.

2)The District Educational Officer,
Virudhunagar District, Virudhunagar.

+1 cc to M/s.A.Rahul, Advocate in SR.No. 66965

+1 cc to The Special Government Pleader in SR.No. 67003

NBI

CSL/SK-SKN/02.12.2016: 2P/5C

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