

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.313 to 318 of 2018

K.Selvi	..	Petitioner in W.P.No.313 of 2018
R.Mala	..	Petitioner in W.P.No.314 of 2018
J.Manimozhi	..	Petitioner in W.P.No.315 of 2018
V.Premalatha	..	Petitioner in W.P.No.316 of 2018
G.Manimegalai	..	Petitioner in W.P.No.317 of 2018
S.Jothi	..	Petitioner in W.P.No.318 of 2018

-vs-

1. The Secretary to Government
Department of School Education
Fort St.George
Chennai 600 009
2. The Director
Directorate of Elementary Education
DPI Campus, College Road
Chennai
3. The District Elementary Educational Officer
Thiruvallur District
Thiruvallur
4. The Assistant Elementary Educational Officer
Minjur Panchayat Union
Minjur, Thiruvallur District
Thiruvallur .. Respondents in all the Writ Petitions

Petitions under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records of the fourth respondent pertaining to his proceedings in Na.Ka.No.456/A1/2017 and quash the order dated 20.11.2017 and consequently direct the respondents to consider the name of the petitioner along with other employees for appropriate pay revision as per G.O.Ms.No.303, Finance (Pay Cell) Department dated 11.10.2017.

For Petitioners::	Mr.R.Sivakumar for Mr.A.Vinoth Raj
in all WPs	
For Respondents::	Mrs.P.Rajalakshmi
in all WPs	Additional Government Pleader

ORDER

These writ petitions are directed against the impugned order dated 20.11.2017 passed by the Assistant Elementary Educational Officer, Minjur Panchayat Union, the fourth respondent herein intending to recover the incentive increment already paid to the petitioners for acquiring the higher qualification.

2. Learned counsel for the petitioners, drawing the notice of this Court to one of the proceedings dated 23.3.2016 passed by the fourth respondent sanctioning the incentive increment, submitted that when the petitioners were granted incentive increment for having acquired the higher qualification of B.Ed., and M.A., all of a sudden, without even issuing any notice calling for explanation from the petitioners, straightaway, the impugned order has been passed behind the back of the petitioners violating the principles of natural justice, with the result the petitioners have been made to lose the benefit of incentive increment granted by the respondents.

3. Even a perusal of the impugned order shows that there is no misrepresentation on the part of the petitioners. In that view of the matter, putting on notice the learned Additional Government Pleader for the respondents, keeping the matters pending any further would not serve any purpose, it is observed that the petitioners shall treat the impugned order as a show cause notice and they are further directed to submit their explanation within a period of three weeks from the date of receipt of a copy of this order. On receipt of the explanation as directed in this order, it is for the respondents to pass appropriate orders, in accordance with law. Till then, the respondents shall not take any coercive action. With this direction, the writ petitions are disposed of accordingly. Consequently, W.M.P.Nos.360 to 371 of 2018 are closed. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

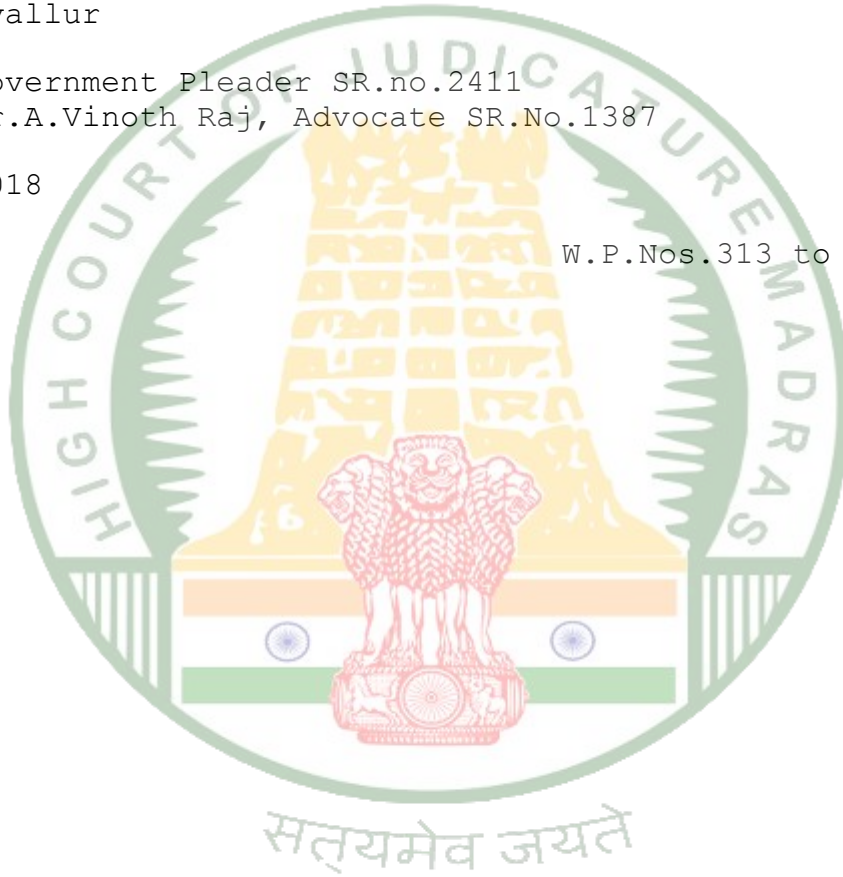
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Minjur, Thiruvallur District
Thiruvallur

+1cc to Government Pleader SR.no.2411
+1cc to Mr.A.Vinoth Raj, Advocate SR.No.1387

sm:25.1.2018

W.P.Nos.313 to 318 of 2018



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