

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2018

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.Nos.1336 to 1339 of 2018
and WMP.No.1718 to 1721 of 2018

Mr.K.Rajamanickan ... Petitioner in W.P.No.1336 of 2018
Mrs.K.Malarkodi ... Petitioner in W.P.No.1337 of 2018
Mr.R.Karthikeyan ... Petitioner in W.P.No.1338 of 2018
Mrs.N.Chitra ... Petitioner in W.P.No.1339 of 2018

Vs.

- 1.The Assistant Elementary Educational Officer,
Kottur Taluk, Tiruvarur District-614 708.
... R1 in W.P.No.1336 & 1337 of 2018
- 2.The Additional Assistant Elementary
Educational Officer,
Kottur Taluk, Tiruvarur District-614 708.
... R1 in W.P.No.1338 & 1339 of 2018
- 3.The District Elementary Educational Officer,
Tiruvarur District. ... R2 in all W.Ps.

Prayer: Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the entire record relating to impugned proceedings in Na.Ka.No.1220/A1/2017 dated 10.11.2017, issued by the first respondent and to quash the same and consequently directing the respondents to continue to pay the incentive increment due to the petitioner for acquiring B.Ed. Degree and to pass such further orders.

For Petitioner : M/s.V.J.Arul Raj
in all W.Ps.

For Respondents : Mr.A.Rajaperumal,
in all W.Ps. Additional Government Pleader

C O M M O N O R D E R

These Writ Petitions are directed against the impugned proceedings of the first respondent dated 10.11.2017 in Na.Ka.No.1220/A1/2017, to quash the same and consequently direct the respondents to continue to pay the incentive increments to the petitioners for having acquired B.Ed. Degree.

2. The learned counsel for the petitioners submitted that the petitioners, who are Middle School Headmasters, are entitled to get two advance increments as per G.O.Ms.No.107 dated 20.01.1976, for having acquired B.Ed. Degree and they are also getting the increments from April 2009, however, all of a sudden, without any notice whatsoever, the impugned orders have been passed by the first respondent directing the petitioners to immediately repay the increments given for acquiring B.Ed. Degree in one instalment to the Government Treasury and prays for interference.

3. Mr.A.Rajaperumal, learned Additional Government Pleader, who takes notice for the respondents, submitted that the petitioners may be directed to treat the impugned proceedings as mere notices and they may be given two weeks time to give their explanation and thereafter, the first respondent would pass appropriate orders and till such time, the first respondent will not proceed with the impugned orders of recovery.

4. Placing on record the submission made by the learned Additional Government Pleader, this Court directs the petitioners to treat the impugned orders as mere notices and give their explanation, by enclosing G.O.Ms.No.107 dated 20.01.1976 and other relevant documents, within a period of two weeks from the date of receipt of a copy of this order to the first respondent, who, upon receipt of the same, is directed to consider and pass appropriate orders within a period of three weeks thereafter and till then, recovery shall not be taken against the petitioners. सत्यमेव जयते

5. These Writ Petitions are disposed of accordingly. No costs. Consequently, connected miscellaneous petition are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

jvm

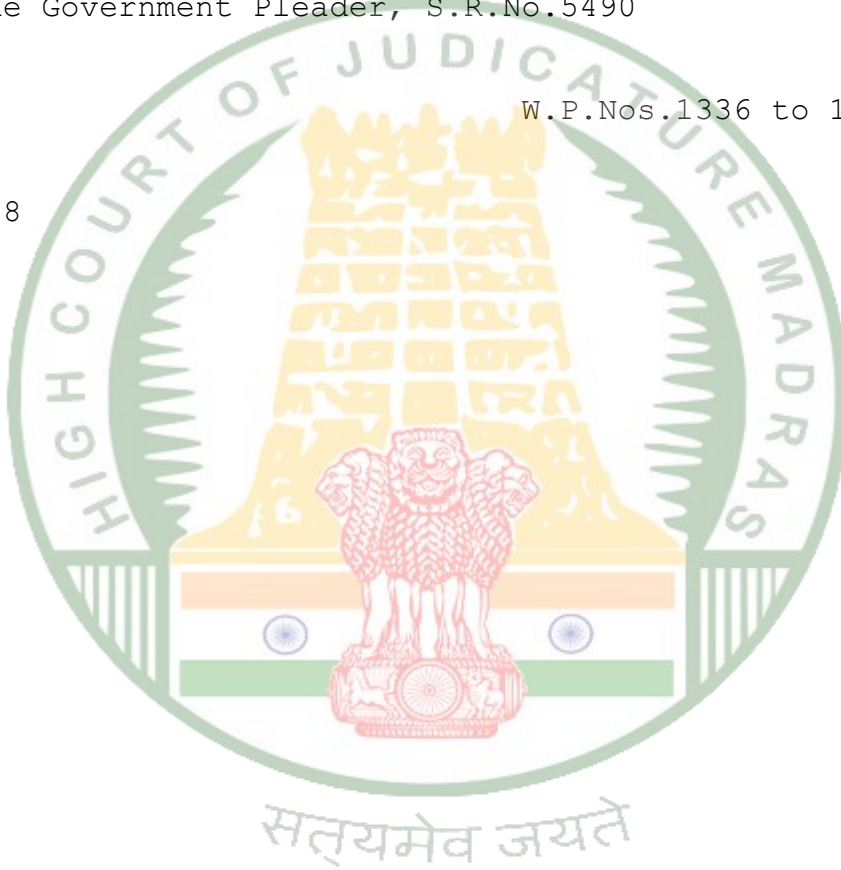
To

1. The Assistant Elementary Educational Officer,
Kottur Taluk, Tiruvarur District-614 708.
2. The Additional Assistant Elementary
Educational Officer,
Kottur Taluk, Tiruvarur District-614 708.
3. The District Elementary Educational Officer,
Tiruvarur District.

+1cc to the Government Pleader, S.R.No.5490

W.P.Nos.1336 to 1339 of 2018

LRS (CO)
CS/13/02/18



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