

effect from 01.06.2006 and he has completed M.A. (Economics) in December, 2010. The petitioner was granted incentive increment for having acquired higher qualification of M.A.(Economics) with effect from 01.01.2011. The petitioner also completed M.Phil in Economics during 2013-2015 and he was also granted one incentive increment for having acquired M.Phil. As far as incentive increments are concerned, the petitioner is entitled to one incentive increment for having acquired M.A. (Economics) as per G.O.Ms.No.42, Education Department dated 10.01.1969 and one incentive increment for having acquired M.Phil., as per G.O.Ms.No.18 dated 18.01.2013.

3. The learned counsel appearing for the petitioner, while assailing the impugned order, submitted that in view of the aforesaid two Government Orders, the petitioner was granted one incentive increment each for having acquired M.A. (Economics) and M.Phil (Economics), however, all of a sudden, without any notice, the impugned order was issued cancelling the incentive increments already granted on the ground that the petitioner is not entitled for the same, in as much as the same is to be awarded only for M.A. in Tamil, English, Science, Mathematics and Social Science. The learned counsel for the petitioner further submitted that as per G.O.Ms.No.324 dated 25.04.1995, clarification was issued with regard to incentive increment for the Secondary Grade Teachers and B.T. Assistants and as per the said Government Order, the petitioner has been rightly granted incentive increment for having acquired M.A. in Economics and prays for interference.

4. Mr.P.Raja, learned Government Advocate, who takes notice for the respondents, submitted that the petitioner may be directed to treat the impugned proceeding as a mere notice and he may be given two weeks time to give his explanation and thereafter, the third respondent would pass appropriate orders and till such time, the third respondent will not proceed with the impugned order of recovery.

5. Placing on record the submission made by the learned Government Advocate, this Court directs the petitioner to treat the impugned order as a mere notice and give his explanation, by enclosing G.O.Ms.No.324 dated 25.04.1995, G.O.Ms.No.18 dated 18.01.2013 and other relevant documents, within a period of two weeks from the date of receipt of a copy of this order to the third 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 petitioner. Needless to say that if the petitioner is able to satisfy the third respondent that he is entitled to get incentive increments, the third respondent will sanction

incentive increments in accordance with law.

6. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition are closed.

Sd/-
Assistant Registrar(CS III)

//True copy//

Sub Assistant Registrar

jvm

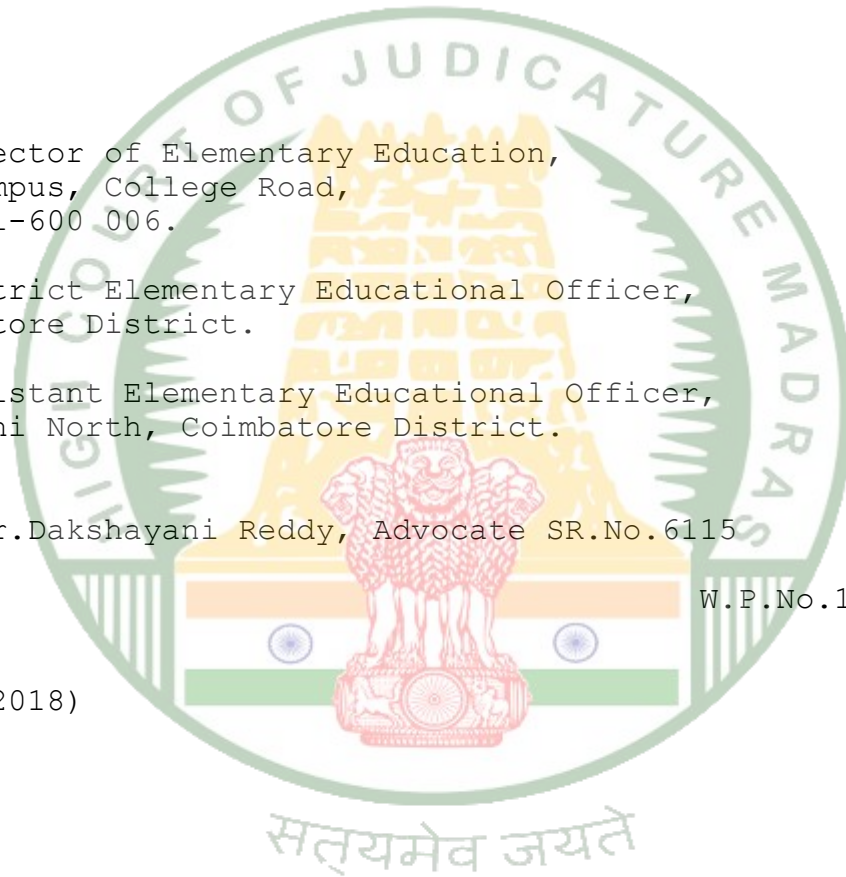
To

- 1.The Director of Elementary Education,
DPI Campus, College Road,
Chennai-600 006.
- 2.The District Elementary Educational Officer,
Coimbatore District.
- 3.The Assistant Elementary Educational Officer,
Pollachi North, Coimbatore District.

+1cc to Mr.Dakshayani Reddy, Advocate SR.No.6115

W.P.No.1446 of 2018

RR(CO)
GN(14/02/2018)



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