



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2018

WEB COPY

CORAM:

THE HONOURABLE **MR. JUSTICE G.R. SWAMINATHAN**

W.P. (MD) No. 1344 of 2018

A.S. Mohamed Mohideen

... Petitioner

Vs.

1. The District Educational Officer,
Tuticorin District.

2. The Correspondent,
L.K. Higher Secondary School,
Kayalpattinam,
Tuticorin.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to sanction yearly increments to the petitioner from the year 2013 onwards with all consequential benefits.

For Petitioner : Mr.V.Panneer Selvam

For Respondents : Mrs.S.Srimathy S.G.P., for R1

O R D E R

The petitioner is employed in the second respondent School. It is a minority institution. The grievance of the petitioner is that his yearly increments have not been sanctioned from 2013 onwards.

2.The learned Special Government Pleader appearing for the first respondent would submit that they did not receive any proposal from the second respondent. It is further pointed out that the writ petitioner has given a complaint and that the same was forwarded to the Management and that explanation has been sought for.

3.The learned counsel for the writ petitioner submitted that it appears that since he has not cleared TET, the increment has not been sanctioned. It is his further submission that since the petitioner is working in a minority institution, the question of clearing TET would not arise at least for the present.



4.The second respondent is directed to submit the proposal to the first respondent for sanctioning the writ petitioner's annual increment, if there is no other impediment in law. Such proposal shall be submitted within two weeks from the date of receipt of a copy of this order. After receipt of the proposal from the second respondent, the first respondent is directed to sanction the same. It is made clear that the petitioner's claim for increment sanction shall not be denied on the ground that he has not cleared TET.

5.This writ petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

1. The District Educational Officer,
Tuticorin District.
2. The Correspondent,
L.K.Higher Secondary School,
Kayalpattinam,
Tuticorin.

+1cc to The Spl. Government Pleader Sr.No.52920

+1cc to Mr.V.Panneer Selvam, Advocate Sr.No.53181

SKN

VB/SKN/RSK/SAR3/06.03.2018/2P/5C

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