



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.01.2018
CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

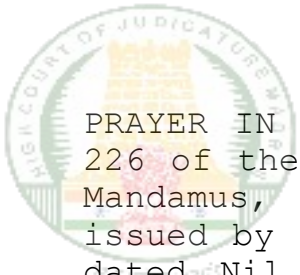
W.P (MD) Nos. 24 to 26 of 2018
and
W.M.P (MD) Nos. 20 to 22 of 2018

S.Slochana	...	Petitioner in W.P (MD) Nos. 24 of 2018
B.Jayashree	...	Petitioner in W.P (MD) Nos. 25 of 2018
Glora Selasty	...	Petitioner in W.P (MD) Nos. 26 of 2018

Vs.

- 1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St.George, Chennai-600 009.
- 2.The Director of School Education,
College Road, Chennai-600 006.
- 3.The Chief Educational Officer,
Kanyakumari District.
- 4.The District Educational Officer,
Kuzhithruai,
Kanyakumari District. ... Respondents 1 to 4 in all Wps
- 5.The Correspondent,
Kamaraj Memorial Higher Secondary School,
Panthaluvilai,
Kanyakumari District. ... Respondent in WP(MD).No.24/18
- 5.The Correspondent,
A.M.Higher Secondary School,
Maruthancode - 629 163,
Kanyakumari District. ... 5th Respondent in
WP(MD).Nos.25 & 26/18

PRAYER IN W.P (MD) Nos. 24 of 2018 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order issued by the fourth respondent herein in O.Mu.No.5779/A2/2017, dated 09.11.2017, quash the same and further direct the fourth respondent herein to sanction and disburse incentive increments to the petitioner from the date of acquiring higher qualification of M.A and M.Ed Degrees.



PRAYER IN W.P (MD) Nos. 25 of 2018 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order issued by the fourth respondent herein in A.thi.mu.No.5878/A2/2017, dated Nil.10.2017, quash the same and further direct the fourth respondent herein to sanction and disburse incentive increments to the petitioner from the date of acquiring higher qualification of M.A and M.Ed Degrees.

PRAYER IN W.P (MD) Nos. 26 of 2018 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order issued by the fourth respondent herein in A.thi.mu.No.2124/A2/2017, dated Nil.06.2017, quash the same and further direct the fourth respondent herein to sanction and disburse incentive increments to the petitioner from the date of acquiring higher qualification of M.A and M.Ed Degrees.

For petitioner : Mr.E.V.N.Siva
For R-1 to R-4 : Mr.J.Gunaseelan Muthiah
Additional Government Pleader
R-5 : Dispensed with
(In all Writ Petitions)

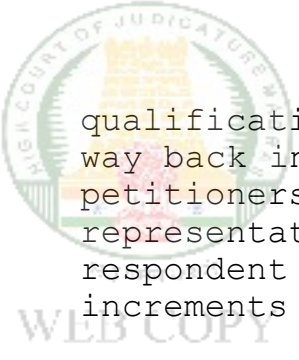
COMMON ORDER

Heard Mr.E.V.N.Siva, learned Counsel appearing for the petitioners in all the Writ Petitions and Mr.J.Gunaseelan Muthiah, learned Additional Government Pleader appearing for the Respondent Nos. 1 to 4 in all the writ petitions.

2. The writ petitioners joined Service as a Secondary Grade Teachers. At the time of joining service, they were possessing B.Sc., B.Ed., qualification. Subsequently they acquired M.A., degree and M.Ed., degree. For acquiring the said higher qualifications, the writ petitioners sought payment of incentive increments. But the requests were denied by the impugned orders and the same are questioned in these writ petitions.

3. The learned counsel appearing for the writ petitioner would place reliance on the decision of this Court made in W.P.(MD).No.21287 of 2015 dated 08.12.2015. The learned Judge of this Court in turn followed the earlier reported decision in 2014 (8) MLJ 746 (G.Meenalochini vs. Chief Educational Officer, Trichy).

4. The cases on hand are absolutely similar. Following the said decision, this Court quashes the orders impugned in these writ petitions. The fourth respondent is directed to sanction and disburse the incentive increments for acquiring the said higher qualification of M.A., and M.Ed., Degree. The writ petitioner seeks such sanction and disbursement from the date of acquiring the higher



qualification. The aforesaid higher qualifications were acquired way back in the year 1999 and 2003 respectively. Therefore, the writ petitioners ought to have approached this Court in time. Even the representation was made only recently. Therefore, the fourth respondent is directed to sanction and disburse the said incentive increments from the date of the writ petition i.e., 02.01.2018.

5. These Writ Petitions are allowed, accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary,
The State of Tamil Nadu,
Department of School Education,
Fort St. George, Chennai-600 009.
2. The Director of School Education,
College Road, Chennai-600 006.
3. The Chief Educational Officer,
Kanyakumari District.
4. The District Educational Officer,
Kuzhithruai, Kanyakumari District,

+3ccs to M/S.E.V.N.Siva, Advocate SR.No. 42364 to 42366
+1cc to Special Government Pleader, SR.No. 42308

ORDER MADE IN
W.P (MD) Nos. 24 to 26 of 2018
11.01.2018

KMI

JM/SKN RSK/SAR 1/20.02.2018/3P/9C