



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD)No.2694 of 2018
and
WMP (MD)Nos.2887 of 2018

V.Periya Durai

... Petitioner

Vs.

1.The Secretary to Government,
School Education Department,
Fort St. George, Chennai - 600 009.

2.The Director of School Education,
DPI Buildings, College Road,
Chennai - 600 006.

3.The Joint Director of School
Education (Vocational),
DPI Buildings, College Road,
Chennai - 600 006.

4.The Finance Adviser & Chief
Accounts Officer (Audit),
DPI Buildings, College Road,
Chennai - 600 006.

5.The Chief Educational Officer,
Tirunelveli, Tirunelveli District.

6.The Head Master,
Govt.Higher Secondary School,
Nadukallur, Tirunelveli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the first respondent to modify the cut-off date fixed in G.O.Ms.No.177, School Education Department dated 13.10.2016 for claiming incentive increment as from the date of government order (ie., 13.10.2016) to the date of completion of higher qualification in physical education teachers and physical education directors in the respective Physical Education Teachers, Physical Directors Grade -II, and Physical Directors Grade - I.



For petitioner

: Mr.T.Sundaravadanam

For respondents

: Mr.J.Gunaseelan Muthaiah,
Addl., Government Pleader

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ORDER

Heard the learned counsel on either side.

2.The petitioner is working as a Physical Education Teacher in the sixth respondent school. He acquired two qualifications. Therefore, he seeks conferment of second incentive increment. He is however aggrieved by the cut off date fixed in G.O.Ms.No.177, School Education Department dated 13.10.2016. According to him, the said G.O prejudicially affects his rights because it states that the second incentive increment will be conferred only from the date of G.O. Seeking modification of the cut off date, he has given as many as three representations. They are dated 03.01.2018, 17.01.2018 and 30.01.2018. All these three representations have been enclosed in the typed set of papers.

3.Therefore, the first respondent is directed to consider the aforesaid representations made by the petitioner on merits and in accordance with law and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is disposed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/

Assistant Registrar (P&A)

/True copy/

Sub Assistant Registrar

To

- 1.The Secretary to Government, School Education Department,
Fort St. George, Chennai - 600 009.
- 2.The Director of School Education, DPI Buildings, College Road,
Chennai - 600 006.
- 3.The Joint Director of School Education (Vocational),
DPI Buildings, College Road, Chennai - 600 006.
- 4.The Finance Adviser & Chief Accounts Officer (Audit),
DPI Buildings, College Road, Chennai - 600 006.

- 5.The Chief Educational Officer, Tirunelveli,

<https://hcservices.tn.gov.in/hcservices/Forms/Forms.aspx> District.



6.The Head Master, Govt.Higher Secondary School,
Nadukallur, Tirunelveli District.

+1cc to Mr.T.SUNDARAVADANAM, Advocate, SR.No. 57361

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