



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2018

CORAM:

WEB COPY

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

W.P.(MD)Nos.3221, 3227, 3235 and 3251 of 2018

Mary Jana ... Petitioner in W.P.(MD)No.3221 of 2018
Pamila Lourds ... Petitioner in W.P.(MD)No.3227 of 2018
John Baptista ... Petitioner in W.P.(MD)No.3235 of 2018
Jasmila ... Petitioner in W.P.(MD)No.3251 of 2018

Vs.

- 1.The District Educational Officer,
Tenkasi, Tirunelveli District. ... Respondent in all W.Ps.
- 2.The Correspondent,
Punitha Arulappan Higher Secondary School,
Avudayanoor, Tenkasi Taluk,
Tirunelveli District.
... 2nd Respondent in W.P.(MD)No.3221 of 2018
- 2.The Correspondent,
Veeramamunivar R.C.Higher Secondary School,
Tenkasi, Tirunelveli District.
... 2nd Respondent in W.P.(MD)No.3227 of 2018
- 2.The Correspondent,
R.C.High School,
Devipattinam, Sivagiri Taluk,
Tirunelveli District.
...2nd Respondent in W.P.(MD)No.3235 of 2018
- 2.The Correspondent,
R.C.High School,
Devipattinam, Sivagiri Taluk,
Tirunelveli District
... 2nd Respondent in W.P(MD)No.3251 of 2018

PRAYER in W.P.(MD)No.3221 of 2018: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to approve permitted salary increment per year from 01.04.2013 to 01.04.2017 and to re-fix the salary on par with VII Pay Commission on the basis of the above increments for the petitioner for her post of BT Assistant (Maths)



in the second respondent school by considering the written requisition of the second respondent dated 18.01.2018 within a time frame.

PRAYER in W.P. (MD) No. 3227 of 2018: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to approve permitted salary increment per year from 01.01.2013 to 01.01.2017 and to re-fix the salary on par with VII Pay Commission on the basis of the above increments for the petitioner for her post of BT Assistant (English) in the second respondent school by considering the written requisition of the second respondent dated 18.12.2017 within a time frame.

PRAYER in W.P. (MD) No. 3235 of 2018: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to approve permitted salary increment per year from 01.01.2014 to 01.01.2017 and to re-fix the salary on par with VII Pay Commission on the basis of the above increments for the petitioner for her post of BT Assistant (Maths) in the second respondent school by considering the written requisition of the second respondent dated 23.12.2017 within a time frame.

PRAYER in W.P. (MD) No. 3251 of 2018: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to approve permitted salary increment per year from 01.01.2014 to 01.01.2017 and to re-fix the salary on par with VII Pay Commission on the basis of the above increments for the petitioner for her post of BT Assistant (English) in the second respondent school by considering the written requisition of the second respondent dated 23.12.2017 within a time frame.

For Petitioner	:	Mr.D.Venkatesh
(In all W.Ps.)		
For R1	:	Mr.J.Gunaseelan Muthiah
		Additional Government Pleader
For R2	:	No appearance
(In all W.Ps.)		

COMMON ORDER

The writ petitioners are the teachers working in minority school. They have been denied their annual increment. The only ground for such denial is that they do not possess TET qualification. It has been held that teachers working in minority schools need not acquire TET qualifications. Therefore, denial of increment on the said ground is not proper.

2. Therefore, the first respondent is directed to approve the permitted salary increment to the writ petitioners from the respective dates of their eligibility. Their salary has to be



revised accordingly. Such an exercise shall be carried out within a period of eight weeks from the date of receipt of a copy of this order. The writ petitions are allowed accordingly. No costs.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

The District Educational Officer,
Tenkasi, Tirunelveli District.

+4cc to Mr.D.Venkatesh, Advocate, SR.No.56084, 56083, 56082 & 56081.
+1cc to Special Government Pleader, SR.No.56483.

W.P. (MD) Nos.3221, 3227, 3235 and 3251 of 2018
16.03.2018

rmi

RAM/SV MMS/SAR 1/04.05.2018/3P/7C