



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.04.2018

CORAM:

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THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) Nos.7791 and 7792 of 2018

G.Kalai ..Petitioner in W.P.(MD)No.7791 of 2018
K.Natarajan ..Petitioner in W.P.(MD)No.7792 of 2018

-Vs-

- 1.The Director of Elementary School Education,
(Administration),
Office of the Director of Elementary School Education,
Chennai-600 006.
- 2.The District Elementary Educational Officer,
District Elementary Educational Office,
Dindigul, Dindigul District.
- 3.The Additional Assistant Elementary Educational Officer,
Assistant Elementary Educational Office,
Vedachandur, Dindigul District.

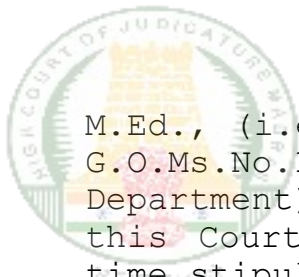
..Respondents in both petitions

COMMON PRAYER: Writ Petition are filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to grant 1 set of 3rd incentive increment to the petitioner for acquiring M.Ed by calculating the arrears from the date of his qualification of M.Ed., (i.e.,) May 1998 and April 1994, respectively in view of the G.O.Ms.No.1023 dated 09.12.1993 (Education, Science & Technology Department) and in view of the order passed by the Division Bench of this Court in W.A. (MD)No.864 of 2014 dated 18.09.2014 within the time stipulated by this Court.

For Petitioners	: Mr.N.Sathish Babu
For Respondents	: Mr.M.Murugan
	Government Advocate
	(for both petitions)

COMMON ORDER

The prayer sought for in these Writ Petitions is for a writ of Mandamus to direct the respondents to grant 1 set of 3rd incentive increment to the petitioner for acquiring M.Ed by calculating the arrears from the date of his qualification of



M.Ed., (i.e.,) May 1998 and April 1994, respectively in view of the G.O.Ms.No.1023 dated 09.12.1993 (Education, Science & Technology Department) and in view of the order passed by the Division Bench of this Court in W.A.(MD)No.864 of 2014 dated 18.09.2014 within the time stipulated by this Court.

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2.Heard Mr.N.Sathish Babu, learned counsel, appearing for the petitioners, and Mr.M.Murugan, learned Government Advocate, appearing for the respondents.

3.By consent of both parties these writ petitions are taken up for final disposal at the stage of admission itself.

4.The learned counsel for the petitioners submits that the writ petitioners have acquired M.Ed., qualification, for which they are entitled for incentive increment, in spite of the said fact incentive increment was not sanctioned by the respondents. Therefore, the petitioners approached this Court by way of these writ petitions.

5.The learned counsel for the petitioners would also submit that the issue of granting incentive increment for the M.Ed., degree acquired by the Teachers, has already been decided by the judgment of the Division Bench of this Court made in W.A.(MD)No.864 of 2014 by an order dated 18.09.2014 and therefore, the issue raised in these Writ Petitions is fully covered by the said decision of the Division of Bench of this Court.

6.The learned Additional Government Pleader appearing for the respondents would also fairly submit that the issue raised in these writ petitions is covered by the said judgment referred to above and therefore, suitable orders can be passed.

7.In view of the said submission made by the learned counsel for the petitioner as well as the respondents, these writ petitions are disposed of with the following directions:-

"that the petitioners since have acquired M.Ed degree qualification, for which, they are entitled to get incentive increment, the same shall be sanctioned by the respondents and an order to that effect shall be passed and the monitory benefits also shall be disbursed to the petitioners. Needful shall be done within a period of four weeks from the date of receipt of a copy of this order."

8.With the above direction, these Writ Petitions are allowed. No costs.

Sd/-

Assistant Registrar(CSIII)

/True Copy/



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 - 3.The Additional Assistant Elementary Educational Officer,
Assistant Elementary Educational Office,
Vedachandur, Dindigul District.
- +2ccs to M/s.N.Sathish Babu, Advocate, SR.Nos.60833 and 60832
- +2ccs to The Special Government Pleader, SR.Nos.60123 and 61025
- ta
RL/8C/3P/KK/SAR1/25/4/2018

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