



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.04.2018
CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P(MD)No.7760 of 2018

T.Janaher

... Petitioner

Vs.

1. The Chief Educational Officer,
Tirunelveli.

2. The District Educational Officer,
Cheranmadevi @ Thirunelveli,
Thirunelveli District.

3. The Secretary,
Chathiram Bharathi Higher Secondary School,
Kadaiyam, Tirunelveli District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to sanction incentive increment for the higher qualification of M.Phil., yearly increments from January, 2016, Earn Leave Surrender, Provident Fund Advance and revised pay as per the VII Pay Commission recommendation to the petitioner.

For Petitioner : Mr.V.Panneer Selvam

For Respondents : Mrs.S.Srimathy, Spl. G.P.
For RR1 and 2

O R D E R

The prayer sought for in this Writ Petition is for a Writ of Mandamus, directing the respondents to sanction incentive increment for the higher qualification of M.Phil., yearly increments from January, 2016, Earn Leave Surrender, Provident Fund Advance and revised pay as per the VII Pay Commission recommendation to the petitioner.

2.Heard Mr.V.Panneer Selvam, learned counsel for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents 1 and 2.

3.The learned counsel for the petitioner submits that though he has acquired higher qualification, for which, he is entitled to get incentive increments and the same was requested right from the year 2015, by way of making several representations, the request of the petitioner has not been so far considered by the respondents. .



4. Heard Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondents in this regard.

5. Since the petitioner's request is to consider his various representations, especially the representations dated 01.06.2015, 06.05.2016 and 30.10.2017, and pass orders thereon, on merits and in accordance with law, with regard to the request of the petitioner for the grant of incentive increments, this writ petition is disposed of at the admission stage, with the consent of both sides with the following direction.

6. The third respondent is directed to forward the representations of the petitioner if not already forwarded and on receipt of such representations from the third respondent to be forwarded if not already forwarded, the second respondent shall consider the representations dated 01.06.2015, 06.05.2016 and 30.10.2017 of the petitioner, on merits and in accordance with law and pass orders thereon, with regard to the request of the petitioner for grant of incentive increments, within a period of six weeks from the date of receipt of a copy of this order.

7. With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Educational Officer,
Tirunelveli.
2. The District Educational Officer,
Cheranmadevi @ Thirunelveli,
Thirunelveli District.
3. The Secretary,
Chathiram Bharathi Higher Secondary School,
Kadaiyam, Tirunelveli District.

+ 1 cc TO Mr.V.Panneer Selvam , Advocate in SR No. 60985

+ 1 cc TO The Special Government Pleader in SR No. 60711

Arul

AE/SKN RSK/SAR2/24.04.2018/2P/6C