



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P(MD)No.3687 of 2011 and
WMP(MD)No.18549 of 2017

N.Radhakrishnan

... Petitioner

Vs.

1. The Accountant General (A & E),
Office of the Accountant General,
Chennai - 18.

2. The Assistant Elementary Educational Officer,
Vilathikulam,
Thoothukudi District.

3. The Government of Tamil Nadu
Represented through its Secretary,
Finance Department,
St.Gorge Fort, Chennai.

... Respondents

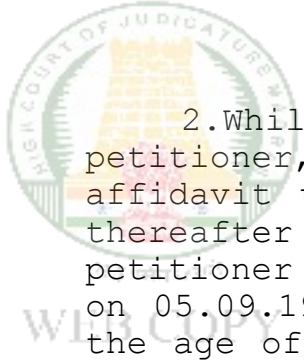
[R-3 impleaded vide order dated 24.01.2018]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 1st respondent in his proceedings in Pen.19/I/RN/11902719/10-11/ADK/dated 16.08.2010 and quash the same and further direct the respondents herein to grant one bonus increment as an incentive to the petitioner as per G.O.Ms.No.562 dated 28.09.1998.

For Petitioner	: Mrs.B.Firdouse Begum
For Respondent 1	: Mr.P.Gunasekaran
For Respondents 2 & 3	: Mr.R.Sethuraman, Special Government Pleader

ORDER

The present writ petition is filed seeking bonus increment as per the Government orders issued in G.O.Ms.No.562 dated 28.09.1998. As per the said GO, stagnation in one post for more than 30 years is the eligibility to get bonus increment and the G.O was issued with an intention to keep the employees vibrant and active, during the fag end of their service. Thus, the criteria fixed for granting bonus increment is 30 years of service in the same post.



2.While scrutinizing the service particulars of the writ petitioner, it is stated by the first respondent in the Counter affidavit that the writ petitioner was appointed on 05.09.1964 and thereafter appointed as Secondary Grade Assistant on 03.06.1967. The petitioner was promoted to the post of the Primary School Headmaster on 05.09.1974 and retired from service on 28.02.1999, on attaining the age of the superannuation. Since the writ petitioner joined as Secondary grade Teacher on 03.06.1967 and on 05.09.1974 promoted as Head Master, there was no stagnation in respect of the writ petitioner. However, the writ petitioner had not completed 30 years of service in the same post and therefore he had not satisfied the eligibility condition prescribed in G.O.Ms.No.562. The bonus increment is granted with specific purpose and object and to provide increment to the Teachers on stagnation in the same post for a number of years.

3.This being the factum of the case, the benefit of bonus increment cannot be granted to the writ petitioner as the petitioner has not satisfied the required conditions stipulated in the G.O.Ms.No.562.

4.Accordingly, the writ petition stands dismissed. However, there shall be no orders as to costs. Consequently, WMP(MD)No.18549 of 2017 is closed.

Sd/-
Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Accountant General (A & E),
Office of the Accountant General,
Chennai - 18.
2. The Assistant Elementary Educational Officer,
Vilathikulam, Thoothukudi District.
3. The Secretary to Government of Tamil Nadu,
Finance Department,
St.Gorge Fort, Chennai.

- + 1 CC TO Mr.D.NALLATHAMBI, ADVOCATE IN SR No. 44124
- + 1 CC TO Mr.P.GUNASEKARAN, ADVOCATE IN SR No. 44246
- + 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 44335

DSK

TE/JC/SAR-3 : 07/02/2018 : 2P/7C