



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2019

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

W.P. (MD)No.11887 of 2011

B.Adeline Gladis

... Petitioner

Vs.

1. The Chief Educational Officer,
Tirunelveli.

2. The Headmistress,
S.R.M.Government Girls Higher
Secondary School,
Shencottai-627 809,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of the second respondent in Na.Ka.No.131/2011, dated 12.08.2011 and quash the same and direct the respondents to award incentive increment to the petitioner for acquiring the M.Phil, qualification with effect from the date of qualification.

For Petitioner : Mr.R.Subramanian

For Respondents : Mrs.S.Srimathy,
Special Government Pleader

ORDER

The relief sought for in the present writ petition is to grant third incentive increment to the writ petitioner for acquiring additional educational qualifications.

2.The writ petitioner joined as Secondary Grade Teacher on 09.02.1987 and promoted to the post of B.T.Assistant on 22.10.1997. The petitioner acquired additional educational



qualification and submitted an application for grant of incentive increment as per the Government Orders in force. The Government introduced a policy of granting incentive increment for acquiring additional educational qualification in order to encourage the teachers to acquire more educational qualification. The writ petitioner was already sanctioned with two incentive increment for the qualifications possessed by her. However, in respect of the other degree, the writ petitioner submitted another application for grant of third incentive increment.

3. The Division Bench of this Court held that the third incentive increment to the teachers are not permissible in accordance with the Government Orders granting incentive increment. The writ appeal in 1664 of 2016, dated 29.60.2018 states that a Teacher is entitled to get two incentive increment in the entire service.

4. The Government Policy also categorically enumerates that the teacher is entitled to get two incentive increment for possessing additional educational qualification. Thus, third incentive increment is impermissible with reference to the Government orders in force. This being the principles already settled, the writ petitioner is not entitled to claim third incentive increment and it is made clear that two incentive increments were already granted to the writ petitioner. Thus, no further consideration is required.

5. Accordingly, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Chief Educational Officer,
Tirunelveli.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Headmistress,
S.R.M.Government Girls Higher
Secondary School,
Shencottai-627 809,
Tirunelveli District.

WEB COPY

+1 CC to M/s.R.SUBRAMANIAN, Advocate (SR-80581[F] dated
08/08/2019)

+1 CC to SPECIAL GOVERNMENT PLEADER (SR-80572[F] dated
08/08/2019)

W.P. (MD) No. 11887 of 2011
07.08.2019

am

AE/ (22.08.2019) 3P 5C