



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.19852 of 2013

R.Palukkannu
B.T.Assistant,
Government High School,
Thuvarankurichi-614 613,
Pattukkottai Taluk,
Thanjavur District.

... Petitioner

-Vs-

1. The Government of Tamil Nadu,
Rep. by its Secretary,
School Education Department,
Fort St. George, Secretariat,
Chennai-600 009.
2. The Director of School Education,
D.P.I. Campus,
College Road, Nungambakkam,
Chennai-600 006.
3. The Chief Educational Officer,
Thanjavur.
4. The Headmaster,
Government High School,
Thuvarankurichi-614 613,
Pattukkottai Taluk,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to award 3rd incentive increment to the petitioner for acquiring the higher qualification of M.phil. with effect from 1.7.2008 and confer all consequential benefits.

For Petitioner : Mr.R.Subramanian

For Respondents : Mr.D.Muruganantham
Additional Government Pleader

**ORDER**

The relief sought for in the present writ petition is for a direction to direct the respondents to award 3rd incentive increment to the petitioner for acquiring the higher qualification of M.phil. with effect from 1.7.2008.

2.The petitioner claim third incentive increment for possessing additional educational qualifications.

3.The learned Additional Government Pleader appearing on behalf of the respondents made a submission that two incentive increments were already granted to the writ petitioner and the third incentive increment is impermissible as per the Government Orders in force. A Teacher is entitled to get two incentive increment in entire service.

4. Thus, the third incentive increment is not contemplated under the scheme of grant of incentive increment to the Teachers in Educational Department. The Hon'ble Division Bench of this Court also decided the issues and held that the Teachers are not eligible for third incentive increment. This being the principles already settled, the writ petitioner is entitled to get two incentive increment in accordance with the Government Order and the third incentive increment now sought for in the writ petition cannot be granted as per the policy of the Government.

5.Accordingly, these writ petition stand dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Secretary,
School Education Department,
Fort St. George, Secretariat,
Chennai-600 009.

2. The Director of School Education,
D.P.I. Campus,
College Road, Nungambakkam,
Chennai-600 006.



3. The Chief Educational Officer,
Thanjavur.

+1 CC to M/s.R.SUBRAMANIAN, Advocate (SR-77792[F] dated
26/07/2019)

WEB COPY

+1 CC to SPECIAL GOVERNMENT PLEADER (SR-77928[F] dated
26/07/2019)

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sjj

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