



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.07.2019

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU
AND
THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

**W.A(MD)NO.658 OF 2019
and
C.M.P(MD)No.5594 of 2019**

- 1.The Director of Elementary Education,
Office of the Director of Elementary Education,
D.P.I.Campus,
College Road,
Chennai - 600 006.
- 2.The District Elementary Educational Officer,
Tirunelveli District,
Tirunelveli.
- 3.The District Elementary Educational Officer,
Shenkottai,
Tirunelveli District. :Appellants/Respondents

.vs.

K.Sornakumari : Respondent/Writ Petitioner

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent praying this Court to set aside the order passed by this Court in W.P(MD)No.21368 of 2014, dated 5.4.2017.

Prayer in WP(MD). 21368 of 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Certiorari calling for the records pertaining to the impugned order passed in Na.Ka.NO.839/A/2014 dated 22.12.2014 passed by the 3rd respondent and quash the same.

For Appellants : Mrs.S.Srimathi
Special Govt.Pleader

For Respondent : Mr.D.Sasikumar

**JUDGMENT**

[Judgment of the Court was made by **K.RAVICHANDRABAABU, J.**]

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This Writ Appeal is directed against the common order passed by the Writ Court, dated 5.4.2017 in W.P(MD)No.21368 of 2014 and W.P(MD)No.4332 of 2015.

2.The issue involved in this matter pertains to recovery of incentive increment already paid to the Writ Petitioner. The Writ Court by common order, allowed both the Writ Petitions and quashed the recovery proceedings.

3.Out of common order passed in these two Writ Petitions, already one W.A(MD)No.938 of 2018 was heard and dismissed on 13.8.2018 by the Division Bench of this Court on 3.7.2018 in which, one of us (KRCBJ) is a party.

4.In view of the above-stated facts and circumstances, more particularly, of the fact that this Court has already rejected the Writ Appeal arising out of the very same order. This Writ Appeal is filed aggrieved against the order made in the another Writ Petition.

5.Accordingly, this Writ Appeal is dismissed. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar(AS)

// True Copy //

Sub Assistant Registrar(CS)

vsn

+1CC TO MR.D.SASIKUMAR, Advocate Sr. No.72390
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.72755

JUDGMENT MADE IN
W.A(MD) NO.658 OF 2019
and
C.M.P(MD) No.5594 of 2019
01.07.2019

GKS (CO)
TR (23.07.2019) 2P 3C