



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.07.2019
CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WEB COPY

W.P. (MD) No.17336 of 2014

K.Swaminathan

... 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 Elementary Education
D.P.I.Campus
College Road, Nungambakkam
Chennai-600 006

3.The District Elementary Educational Officer
Madurai

4.The Assistant Elementary
Educational Officer
Madurai East
Madurai-625 020

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to award third incentive increment to the petitioner for acquiring the higher qualification of M.Ed. with effect from 27.05.1995 and consequently revise the pensionary benefits and award monetary benefits.

For Petitioner : Mr.R.Subramanian

For Respondents : Mrs.S.Srimathy
Special Government Pleader

O R D E R

The relief sought for in the present writ petition is for a direction to the respondents to award third incentive increment to the writ petitioner for acquiring the higher qualification of M.Ed., Degree, with effect from 27.05.1995.



2. Admittedly, the writ petitioner was already granted two incentive increments for possessing the additional educational qualifications. Now, the writ petitioner claims that he is entitled for third incentive increment.

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3. In respect of the grant of third incentive increment, the Honourable Division Bench of this Court, by Judgment dated 29.06.2018, in W.A.(MD) No.1664 of 2016, has held that the Teachers are eligible for two incentive increments in their entire service and the third incentive increment is impermissible. In view of the fact that the Government Orders stipulate the grant of two incentive increments to the Teachers in their entire service, the third incentive increment is not contemplated under the scheme of grant of incentive increment for acquiring additional educational qualification.

4. Accordingly, the claim of the writ petitioner for third incentive increment is impermissible. Thus, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To:

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

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

3.The District Elementary Educational Officer, Madurai.

4.The Assistant Elementary, Educational Officer,Madurai East,
Madurai-625 020.

+1cc to Mr.R.SUBRAMANIAN,Advocate, SR.No.77105

+1cc to the Spl.Govt.Pleader Sr.No.77301

krk

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