



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.08.2019

CORAM:

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

W.P. (MD)No.10490 of 2015

A.Murugesan

... Petitioner

Vs.

1.The Commissioner and Director of Most
Backward and Denotified Communities
Welfare Department,
Chepauk, Chennai-600 005.

2.The Joint Director,
Kallar Reclamation Office,
Collector Office Compound,
Madurai-625 020, Madurai District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the second respondent herein Na.No.H.129917/2012, dated 03.06.2015 and quash the same and further direct the respondent herein to sanction one set of incentive increment to the petitioner for acquiring M.Ed degree with effect from the date of passing M.Ed degree viz., 23.05.1997.

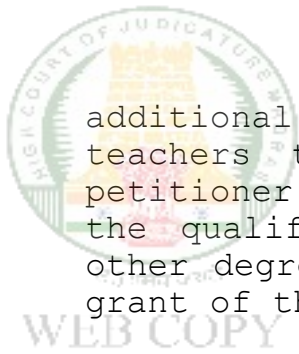
For Petitioner : Mr.E.V.N.Siva

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

ORDER

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

2.The writ petitioner joined as Secondary Grade Teacher on 17.04.1972 and promoted to the post of B.T. Assistant on 06.09.1995, Middle School Headmaster on 12.05.2003 and High School Headmaster on 06.09.2004. 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 W.A.No.1664 of 2016, dated 29.06.2018, 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(AD-II)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Commissioner and Director of Most
Backward and Denotified Communities
Welfare Department,
Chepauk, Chennai-600 005.

2.The Joint Director,
Kallar Reclamation Office,
Collector Office Compound,
Madurai-625 020, Madurai District.

+1. C.C. to M/S.E.V.N.Siva, Advocate SR.No. 83008

W.P. (MD)No.10490 of 2015

sj i

JM/24.09.2019/2P/4C