

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 25.07.2019

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM****W.P. (MD) Nos. 21042 to 21045 of 2014****and****M.P (MD) Nos. 1, 1, 1 & 1 of 2014**W.P (MD) No. 21042 of 2014

V. Chandramohan

... Petitioner

Vs.

1. The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.

2. The Chief Educational Officer,
Pudukottai District,
Pudukottai.

3. The Headmaster,
Government Higher Secondary School,
Manjanviduthi-622 303.
Pudukottai District.

... Respondents

PRAYER: Writ Petitions under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to sanction incentive increment for the petitioner from the date of promotion to the post of PG Assistant with effect from 19.11.2011 for acquiring M.Phil., degree forthwith by considering the representation submitted by the petitioner, dated 10.11.2014, within a time frame to be fixed by this Hon'ble Court.

W.P (MD) No. 21043 of 2014

S. Savarinathan

... Petitioner

Vs.

1. The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.

2. The Chief Educational Officer,
Pudukottai District,
Pudukottai.

3. The Headmaster,
Government Boys Higher Secondary School,
Alangudi,
Pudukottai-622 301.

... Respondents



PRAYER: Writ Petitions under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to sanction incentive increment for the petitioner for acquiring the M.Phil., degree with effect from 22.10.2008, based on the representation submitted by the petitioner dated 16.06.2014, within a time frame.

W.P(MD)No.21044 of 2014

K.Ezhilarasi

... Petitioner

Vs.

1.The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.

2.The Chief Educational Officer,
Pudukottai District,
Pudukottai.

3.The Headmaster,
Government Girls Higher Secondary School,
Santhaipettai,
Pudukottai-622 005.

... Respondents

PRAYER: Writ Petitions under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to sanction incentive increment for the petitioner for acquiring the M.Phil., degree with effect from 26.12.2007 considering the representation submitted by the petitioner dated 30.10.2014, within a time frame.

W.P(MD)No.21045 of 2014

P.Jacintha Wenceslas Mary

... Petitioner

Vs.

1.The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.

2.The Chief Educational Officer,
Pudukottai District,
Pudukottai.

3.The Headmaster,
Government Higher Secondary School,



Manjanviduthi, Vamban Post,
Pudukottai District.

... Respondents

PRAYER: Writ Petitions under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to sanction incentive increment to the petitioner for acquiring M.Phil., degree with effect from the date of promotion to the post of PG Assistant on 21.11.2011 by considering the representation submitted by the petitioner dated 06.11.2014, within a time frame.

For Petitioners : Mr.F.Deepak

in all the writ petitions

For Respondents : Mrs.S.Srimathy,

in all the writ petitions Special Government Pleader

COMMON ORDER

The relief sought for in these writ petitions is for a direction to direct the respondents to sanction the incentive increment for the writ petitioners from the date of their promotion.

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

3.The learned Special Government Pleader appearing on behalf of the respondents made a submission that two incentive increments were already granted to these writ petitioners 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 petitioners are entitled to get two incentive increment in accordance with the Government Order and the third incentive increment now sought for in these writ petitions cannot be granted as per the policy of the Government.

5.Accordingly, these writ petitions stand dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar(CS)



To

1. The Director of School Education,
DPI Campus, College Road,
Chennai-600 006.
2. The Chief Educational Officer,
Pudukottai District,
Pudukottai.
3. The Headmaster,
Government Higher Secondary School,
Manjanviduthi-622 303.
Pudukottai District.
4. The Headmaster,
Government Girls Higher Secondary School,
Santhaipettai,
Pudukottai-622 005.
5. The Headmaster,
Government Boys Higher Secondary School,
Alangudi,
Pudukottai-622 301.

+1 CC to M/s.F.DEEPAK, Advocate (SR-77772[F] dated 26/07/2019)

+1 CC to M/s.SPL GP (SR-77924[F] dated 26/07/2019)

W.P. (MD) Nos.21042 to 21045 of 2014

25.07.2019

_KK/SAR/27.08.2019/4P-8C/