



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2019

CORAM:

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

W.P. (MD)No.217 of 2014

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M.Muthukaruppanan

... Petitioner

Vs.

1.The Secretary to Government,
Department of School Education,
Fort St. George,
Chennai-9.

2.The Director of Elementary Education,
College Road, Chennai-6.

3.The District Educational Officer,
Madurai Educational District,
Thallakulam, Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the 3rd respondent in m.jp.K.vz;.9006/A1/2013, dated 03.12.2013 and quash the same as illegal and consequently direct the respondents to sanction 3rd incentive increment to the petitioner for possessing M.phil., to the petitioner in the light of the orders of this Court in W.P.(MD) No.2528/2007, dated 20.12.2007, W.P. No. 9200/2011, dated 12.04.2011, W.P(MD) No.7291/2011, dated 05.07.2013 batch, W.P.(MD) No.11802/2013, dated 24.07.2013 and batch and in the light of G.O.Ms.No.17, School Education Department, dated 08.01.2008 G.O.Ms.No.209, School Education Department, dated 08.07.2010 and G.O.(2D)No.15, School Education Department, dated 28.03.2013.

For Petitioner : Mr.C.Arul Vadivel @ Sekar

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

ORDER

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

2.The writ petitioner joined as B.T. Assistant on 06.12.1989 and promoted to the post of Secondary Grade Teacher on 14.08.2001.

<https://hcservices.courts.gov.in/hcservices/>



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 him. 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 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 (CS III)

// True Copy //

Sub Assistant Registrar(CS)

sjj

To

1.The Secretary to Government,
Department of School Education,
Fort St. George,
Chennai-9.

2.The Director of Elementary Education,
College Road, Chennai-6.



3.The District Educational Officer,
Madurai Educational District,
Thallakulam, Madurai.

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