



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WEB COPY

W.P. (MD) No.16360 of 2015

S.Chandran

... Petitioner

vs.

1.The Director of School Education
Chennai-6

2.The District Educational Officer
Thiruchirapalli

3.The Secretary
E.R.Higher Secondary School
Tiruchirappalli
Thiruchirapalli District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus calling for the records pertaining to the order passed by the 2nd respondent in his proceedings in Mu.Mu.No. 4408/A3/2015 dated 24.08.2015 and quash the same and direct the respondents to sanction one set of incentive increment for M.Phil. to the petitioner with effect from 16.03.2006 and confer all the consequential benefits.

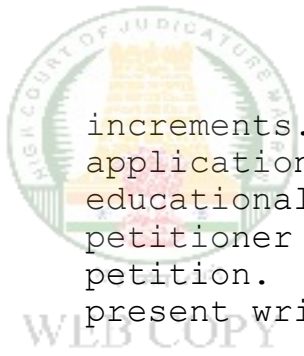
For Petitioner : Mr.V.Panneerselvam
for M/s.C.S.Associates

For Respondents : Mrs.S.Srimathy
Special Government Pleader for R1 & R2
No appearance for R3

O R D E R

The relief sought for in the present writ petition is to quash the order of rejection dated 24.08.2015, passed by the second respondent, rejecting the claim of the writ petitioner for grant of third incentive increment.

2. The writ petitioner is working as P.G.Assistant. On possessing the additional educational qualification, the writ petitioner submitted an application for incentive increment as per the Government Orders. Two incentive increments were sanctioned in



increments. Thereafter, the writ petitioner submitted an application seeking third incentive increment for the additional educational qualification acquired by him. The claim of the writ petitioner was rejected by the order impugned in the present writ petition. Hence, the writ petitioner was constrained to move the present writ petition.

3. The issue with regard to grant of third incentive increment was already adjudicated by the Honourable Division Bench of this Court, vide Judgment dated 29.06.2018 in W.A.No.1664 of 2016, by stating that a Teacher is entitled to get only two incentive increments throughout the service. This Court has also passed number of orders stating that as per the Government Orders in force, the Teacher is entitled to get two incentive increments in the entire service. In the present case, admittedly, the writ petitioner is already receiving two incentive increments and therefore, he is not entitled for third incentive increment as per the Government Order in force. In such view of the matter, the impugned order, dated 24.08.2015, passed by the second respondent, is in consonance with the policy of the Government in the matter of grant of third incentive increment.

4. Accordingly, the writ petition is devoid of merits and stands dismissed. No costs.

Sd/-

Assistant Registrar(Crl. Side)

/TRUE COPY/

Sub Assistant Registrar

To:

1.The Director of School Education,
Chennai-6.

2.The District Educational Officer,
Thiruchirapalli.

+1 CC to M/s.SPL GP (SR-83541[F] dated 27/08/2019)

+1 CC to M/s.V.PANNEER SELVAM, Advocate (SR-83679[F] dated 27/08/2019)

W.P. (MD) No.16360 of 2015

26.08.2019

krk

JM/06.09.2019/2P/5C