



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.13598 of 2014

Shanmugasundaram

... Petitioner

-Vs-

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

2.The Director of School Education,
Chennai 6.

3.The Chief Educational Officer,
Sivagangai District, Sivagangai.

4.The Headmaster,
Government Higher Secondary School,
Vembathure, Sivagangai District.

... Respondents

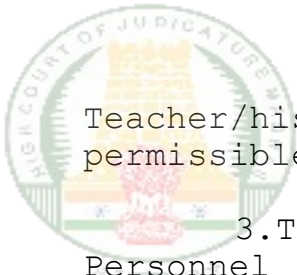
Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to grant 1 set of third incentive increment to the petitioner for acquiring M.Phil by calculating the arrears from the date of his qualification of M.Phil., (i.e) on 22.06.2009 within the time stipulated by this Court.

For Petitioners	: Mr.N.Sathish Babu
For Respondents	: Mr.D.Muruganandham
(R1 TO R4)	Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents to grant 1 set of third incentive increment to the petitioner for acquiring M.Phil by calculating the arrears from the date of his qualification of M.Phil., (i.e) on 22.06.2009.

2.The petitioner was appointed as Block Resource Teacher Educator and subsequently, promoted as P.G.Assistant. The petitioner is now claiming third incentive increment for acquiring the additional educational qualification. As per the Government Orders in force and as per the Scheme of granting of incentive increment, two incentive increments are permissible for



Teacher/his/her for entire career. Third incentive increment is not permissible.

3.This apart, the Government recently issued G.O.Ms.No.37, Personnel and Administrative Reforms Department, dated 10.03.2020 stating that the Scheme of sanction of advance increment in all the departments are dispensed with/cancelled. Clarifications were issued in G.O(Ms).No.116, D & AR Department, dated 15.10.2020. Accordingly, the said Government Order will be applicable even for the Educational Department. In any case, the petitioner cannot claim third incentive increment as the Scheme contemplates only two incentive increment to be paid to a Teacher in entire service. This being the factum, the writ petitioner is not entitled for the relief as such sought for in the present Writ Petition and stands dismissed. No costs.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Rmk

To

- 1.The Secretary to Government,
Department of School Education,
Chennai-9.
- 2.The Director of School Education,
Chennai 6.
- 3.The Chief Educational Officer,
Sivagangai District, Sivagangai.
- 4.The Headmaster,
Government Higher Secondary School,
Vembathure, Sivagangai District.

+1 CC to M/s.SPL GP (SR-77933[F] dated 26/07/2019)

W.P. (MD).No.13598 of 2014
06.11.2020

SSS(CO)

TR(23.11.2020) 2P 6C