

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.01.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.1617 of 2021
(Heard through VC)

Ganesapandi

..Petitioner

-vs-

1. The State of Tamil Nadu,
Represented by the
Principal Secretary to Government,
School Education Department,
Fort St.George,
Chennai.
2. The Joint Director,
School Education Department,
DPI Complex,
Nungambakkam,
Chennai.
3. The Chief Education Officer,
Chengalpet - 202.
4. The District Educational Officer,
Chrompet, Chennai.
5. The Headmaster,
Government Higher Secondary School,
Medavakkam,
Chennai.

..Respondents

Prayer: Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondents No.3 to 5 to grant incentive increment to the petitioner for acquiring M.Phil., degree from 28.01.2015 by considering his representation dated 04.11.2020.

For Petitioner	: Mr.J.Antony Jesus
For Respondents	: Mr.P.Raja Government Advocate

O R D E R

The petitioner has come forward with this writ petition, seeking a direction to the respondents 3 to 5 to grant incentive increment to the petitioner for acquiring M.Phil., degree from 28.01.2015 by considering his representation dated

2. Mr.P.Raja, learned Government Advocate takes notice on behalf of the respondents. By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he had completed M.A., B.Ed. degree and appointed as BT Assistant in English at Government Higher Secondary School on 17.12.2012. Though he has joined M.Phil degree even before he was appointed as BT Assistant, he was able to complete the M.Phil degree only in the month of April, 2014. It is stated that every teacher is eligible for two incentive increments for acquiring higher qualification. He was granted first increment for completion of M.A. degree by the fifth respondent. For the second incentive increment he has submitted his degree certificate to the fifth respondent. But the same has not been recorded by the fifth respondent despite receipt of genuineness certificate from Madurai Kamaraj University. In this regard the petitioner has submitted a detailed representation to the fifth respondent and thereafter to the third respondent. The third respondent by its proceedings dated 19.12.2018 directed the fifth respondent to act in accordance with the letter of the first respondent dated 02.11.2007. As the said letter was not applicable for the petitioner, he again submitted his representation to the fifth respondent dated 04.11.2020. But, till date, the respondents 3 to 5 have not granted incentive increment to the petitioner. Hence, this petition.

4. Considering the facts and circumstances of the case, as the petitioner's representation is already pending with the authority concerned, this Court directs the respondents 3 to 5 herein to consider the representation of the petitioner dated 04.11.2020, if not already considered and pass appropriate orders thereon, in accordance with law, after affording an opportunity of hearing to the petitioner, as expeditiously as possible, preferably within a period of sixty (60) days from the date of receipt of a copy of this order.

This Writ Petition is disposed of accordingly. No costs.
s/d-

Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

rsi

To

1. The State of Tamil Nadu,
Represented by the
Principal Secretary to Government,
School Education Department,
Fort St.George,
Chennai.

2. The Joint Director,
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Nungambakkam,
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Government Higher Secondary School,
Medavakkam,
Chennai.

+1cc to Government Pleader, Sr.No.4601

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RSV(CO)
KKV/10/03/2021



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