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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

WP NOS.9541 AND 9544 OF 2021

AND

WMP NOS.10134,10135,10140 AND 10142 OF 2021

A.Kuttiammal

..Petitioner  
in WP No.9541/2021

S.Kasthuri

..Petitioner  
in WP No.9544/2021

Versus

1. The State of Tamil Nadu  
Rep. by its Secretary  
Department of School Education  
Fort St. George,  
Chennai - 600 009.
2. The Director of Elementary Education  
College Road,  
Chennai - 600 006.
3. The District Educational Officer  
Tirupur - 641 604.  
Tirupur District.
4. The Block Educational Officer  
Tirupur North  
Tirupur District - 641 602.

..Respondents 1 to 4  
in both WPs'

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the 4<sup>th</sup> respondent Block Educational Officer in A.Thi.Mu.Nos.995/A2/2019 and 1031/A2/2019 respectively, dated 25.11.2019 and quash the same and further direct the respondents herein to sanction and award forthwith two incentive increments to the petitioners for acquiring an additional higher qualification viz., B.Ed., Degree.



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For Petitioner  
(in both WPs') : Ms.H.Mary Sowmi Rexi

For Respondents : Mr.P.Raja  
(in both WPs') Government Advocate

#### COMMON ORDER

The petitioner in W.P.No.9541 of 2021 was appointed as Secondary Grade Teacher and thereafter, she obtained B.Lit., Degree and was promoted as Middle School Headmistress. After having been promoted, she acquired additional qualification of B.Ed., and sought for incentive increments for securing additional qualification. As per the proceedings of the second respondent in Na.Ka.No.017731/A3/2015 dated 24.08.2016, she is entitled to two incentive increments. However, her request for grant of incentive increments dated 07.06.2017 was rejected citing an irrelevant proceedings. Aggrieved over the same, the petitioner is before this Court.

2.Likewise, the petitioner in W.P.No.9544 of 2021 was appointed as Secondary Grade Teacher and thereafter, she obtained B.Lit., Degree and was promoted as Middle School Headmistress. After having been promoted, she acquired additional qualification of B.Ed., and sought for incentive increments for securing additional qualification. As per the proceedings of the second respondent in Na.Ka.No.017731/A3/2015 dated 24.08.2016, she is entitled to two incentive increments. However, her request for grant of incentive increments dated 07.11.2016 was rejected citing an irrelevant proceedings. Aggrieved over the same the petitioner is before this Court.

3.Mr.P.Raja, learned Government Advocate takes notice on behalf of the respondents and submits that irrelevant proceedings are mentioned in the impugned orders and the papers are returned.

4.Considering the said fact, the impugned orders are set aside and the matter is remitted back to the second respondent for fresh consideration. The second respondent is directed to consider the request of the petitioners in the light of relevant Government Orders and pass orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.



5. Both the Writ Petitions are disposed of accordingly.  
No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-  
Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

PNS/MSV/Kpr

To

1. The Secretary  
Government of Tamil Nadu  
Department of School Education  
Fort St. George,  
Chennai - 600 009.
2. The Director of Elementary Education  
College Road,  
Chennai - 600 006.
3. The District Educational Officer  
Tirupur - 641 604.  
Tirupur District.
4. The Block Educational Officer  
Tirupur North  
Tirupur District - 641 602.

+1cc to the Government Pleader, S.R.No.26372

WP NOS.9541 & 9544 OF 2021

PMK (CO)  
RGA (19/07/2021)