

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2021

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

WP NOS.10075 AND 10081 OF 2021
AND

WMP NOS.10709, 10711, 10706 AND 10712 OF 2021

C.Maheshwari .. Petitioner
in WP No.10075/2021

R.Kalamani .. Petitioner
in WP No.10081/2021

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
Uthukuli,
Tirupur District - 638 751.

.. 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 4th respondent Block Educational Officer in A.Thi.Mu.Nos.17A/A1/2020 and 17A/A2/2020 respectively, dated 23.03.2020 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.

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.10075 of 2021 was appointed as Secondary Grade Teacher and thereafter, she obtained B.Lit., Degree and was promoted as Primary 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.012605/,1/2015 dated 11.08.2016, she is entitled to two incentive increments. However, her request for grant of incentive increments dated 10.07.2017 was rejected citing an irrelevant proceedings. Aggrieved over the same, the petitioner is before this Court.

2.Likewise, the petitioner in W.P.No.10081 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.012605/,1/2015 dated 11.08.2016, she is entitled to two incentive increments. However, her request for grant of incentive increments dated 26.07.2017 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.

Sd/-

Assistant Registrar (CS-VI)

//True copy//

Sub Assistant Registrar

TK

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.
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- 4.The Block Educational Officer
Uthukuli,
Tirupur District - 638 751.

सत्यमेव जयते

WP NOS.10075 & 10081 OF 2021

PP (CO)
GMY (06/07/2021)

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