



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.06.2021

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W. P. (MD) No. 17738 of 2013

P.Natarajan

... Petitioner

-vs-

1.The District Elementary Educational Officer,
Tirunelveli District,
Tirunelveli.

2.The Assistant Elementary Educational Officer,
Alangulam, Tirunelveli District.

3.The Correspondent,
T.D.T.A. Middle School,
Parankundrapuram, Alangulam,
Tirunelveli District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the 2nd respondent to grant two more advance increments (one incentive increment) to the petitioner for possessing M.A Tamil Higher Qualification in the Secondary Grade Post.

For Petitioner	: Mr. M. Gnanagurunathan
For Respondents	: Mr. D. Gandhiraj,
1 and 2	Government Advocate

ORDER

Heard Mr. M.Gnanagurunathan, Learned Counsel for the Petitioner, Mr. D.Gandhiraj, Learned Counsel representing the First and Second Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, at the time of filing of the Writ Petition, was working as Secondary Grade Teacher in the school of the Third Respondent. According to him, as he had acquired M.A. degree and had produced certificate dated 27.05.2012 in that regard, he was entitled to the benefit of advance increment in higher qualification as per the Government Orders. The grievance ventilated by the Petitioner in this Writ Petition is that despite representations dated 07.07.2012, 02.02.2013 and 07.09.2013 made in that regard to the concerned authorities, the same has not been considered till



date. Learned Counsel for the Petitioner states that the said representations made by the Petitioner would be disposed by the concerned authority within a time limit that may be fixed by this Court.

3. Having regard to the aforesaid submissions made, this Court without expressing any view on the correctness or entitlement of the claim made, passes the following order:-

- (i) the concerned authority of the Respondent shall immediately consider the representation 07.07.2012, 02.02.2013 and 07.09.2013 made by the Petitioner;
- (ii) if it is found that the Petitioner has not satisfied with the prescribed requirements or eligibility criteria for extending the benefits claimed, the deficiencies in that regard shall be informed in writing to him requiring the same to be furnished within a time frame of not less than 10 working days;
- (iii) in the event of concerned authority not being satisfied with the compliance of the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner to explain his position in that regard;
- (iv) the concerned authority of the Respondent shall pass reasoned orders dealing with each of the contentions raised on merits and in accordance with law and communicate the decision taken to the Petitioner under written acknowledgment and file report of compliance by 30.09.2021 in that regard before the Registrar (Judicial) of this Court.

4. In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The District Elementary Educational Officer,
Tirunelveli District,
Tirunelveli.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Assistant Elementary Educational Officer,
Alangulam, Tirunelveli District.

Copy to

1.The Registrar Judicial,
Madurai Bench of Madras High Court, Madurai.

2. The Section Officer, Writ Section
Madurai Bench of Madras High Court,
Madurai

+1 CC to M/s.M.GNAGURUNATHAN, Advocate (SR-20480[F] dated
29/06/2021)

W.P. (MD) No.17738 of 2013
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KB(12.07.2021) 3P 6C