



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.04.2021

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P (MD)No.7815 of 2021

WEB COPY

P.Usha Maheswari

... Petitioner

vs.

1.The Director of School Education,
College Road,
Chennai - 6.

2.The Chief Educational Officer,
Tallakulam,
Madurai.

3.The District Educational Officer,
Campus of Government Boys Higher Secondary School,
Thirumangalam,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to award incentive increment to the petitioner for acquiring higher studies of M.A with effect from 01.04.1999 as per G.O.Ms.No.116, dated 15.10.2020 and proceedings of the first respondent, dated 21.10.2020 based upon the representation of the petitioner, dated 03.02.2021.

For Petitioner : Mr.K.K.Kannan

For Respondents : Mr.C.M.Mari Chelliah Prabhu
Additional Government Pleader

ORDER

This Writ Petition is filed seeking for a Writ of Mandamus, directing the respondents 1 and 2 to award incentive increment to the petitioner for acquiring higher studies of M.A with effect from 01.04.1999, as per G.O.Ms.No.116, dated 15.10.2020 and also the proceedings of the first respondent, dated 21.10.2020, based on the representation of the petitioner, dated 03.02.2021.

2.Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader accepts notice on behalf of the respondents.

3.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.



4. According to the petitioner, she was appointed as a Secondary Grade Teacher in Alagusundaram Middle School, Madurai, on 29.04.1998 and her probation was completed on 31.05.2000. She joined M.A Degree before she was appointed as Secondary Grade Teacher and completed M.A Degree in April, 1999. Though she is entitled for incentive increment for acquiring higher qualification, the respondents have not granted incentive increment. Hence, she gave a representation dated 03.02.2021 to the respondents to grant incentive increment. So far, no action has been taken on the side of the respondents and hence, the petitioner has come out with the present Writ Petition.

5. The learned Additional Government Pleader appearing for the respondents submitted that the representation of the petitioner, dated 03.02.2021 would be considered on merits within the period stipulated by this Court.

6. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

7. Considering the facts and circumstances of the case, without deciding the issue on merits, it is suffice to direct the respondents to consider the representation of the petitioner, dated 03.02.2021 and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

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 Director of School Education,
College Road,
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+1 CC to M/s.K.K.KANNAN, Advocate (SR-15878[F] dated 15/04/2021)

+1 CC to M/s.SPL GP (SR-15994[F] dated 16/04/2021)

W.P(MD)No.7815 of 2021
15.04.2021

RK (30.04.2021) 3P 6C